

University of New Hampshire
University of New Hampshire Scholars' Repository

UNH Law Alumni Magazine

University of New Hampshire – School of Law

Summer 6-1-2003

UNH Law Alumni Magazine, Summer 2003

University of New Hampshire School of Law

Follow this and additional works at: https://scholars.unh.edu/alumni_mag



Part of the [Law Commons](#)

Recommended Citation

University of New Hampshire School of Law, "UNH Law Alumni Magazine, Summer 2003" (2003). *UNH Law Alumni Magazine*. 21.
https://scholars.unh.edu/alumni_mag/21

This Book is brought to you for free and open access by the University of New Hampshire – School of Law at University of New Hampshire Scholars' Repository. It has been accepted for inclusion in UNH Law Alumni Magazine by an authorized administrator of University of New Hampshire Scholars' Repository. For more information, please contact ellen.phillips@law.unh.edu.

THE ADVOCATE

A Magazine for Alumni and Friends of Franklin Pierce Law Center



Celebrating 30 Years

PIERCE  LAW
FRANKLIN PIERCE LAW CENTER

DEAN'S MESSAGE

Dear Alumni and Friends,

To celebrate our 30th anniversary, we enjoyed a glorious commencement. In spite of an old-fashioned New Hampshire winter this year, it was a beautiful spring day. Our very first graduate, Mike Ackerman '76, was there to watch his daughter, Jaime, follow the family tradition by graduating "first in the class." He was accompanied by another daughter, Allison, who will join the Class of 2006.

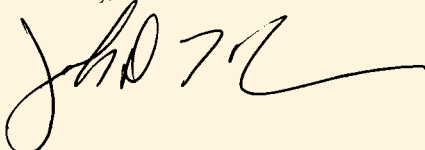
We were pleased to have United States Senator John Kerry as our commencement speaker. He offered superb advice to the graduates by reminding them of their duty and responsibility as citizens. Assistant Registrar Lyla Mulkhey was selected by the graduates for special recognition from the staff and Professor Kimberly Kirkland was elected to offer the faculty advice. We recognized Professor Tom Field for his 30 years of devoted service on the faculty. As he has for the last three years, 102-year young Yardley Chittick joined us as an honored guest. Mr. Chittick is the senior patent attorney in the United States, and possibly the entire world. To put his life and career in perspective, he rejected a job offer from Thomas Edison.

One of the dynamic aspects that I've learned about Pierce Law over the last three years is that there are really four JD classes. The fourth one is next year's. We devote a tremendous amount of time and energy creating the best incoming class possible. This fall's 1L class will be terrific. Our applications are up almost 50% from last year (and over 100% from 2000). This percentage of increase places us in the top 10% of all law schools this year. The quality of the applications is also a cause of great optimism. I credit the hard work of Assistant Dean for Admissions Katie McDonald and her staff and the Admissions Committee under Professor Mitch Simon's leadership. Also, in spite of SARS and global tension, it looks as though the MIP and LL.M classes will be equally good.

Professor Hugh Gibbons is chairing a new Strategic Planning Committee that is peering into our distant future. This will be a two- to three-year process, and in the end we'll have a roadmap that will direct our decision-making. Hugh's Committee includes Karin Gregory '88, vice chair of the board of trustees; Professors Susan Richey and Kimberly Kirkland; Director of Institutional Advancement Janet Rosa; and Shawn Diedtrich '04, editor-in-chief of IDEA. Since everything begins with admissions, Katie McDonald is an ex officio member. Faculty Administrative Assistant Linda Chroniak is ably assisting from the staff.

Because of your unique perspective as alumni, you may be contacted by the Committee for your ideas about what Pierce Law should look like five or ten years from now.

Sincerely,



John D. Hutson
Dean & President



Senator John Kerry greets Yardley Chittick, age 102, the nation's oldest patent attorney and Professor Norah K. Olemba, managing director of the Kenya International Institute, Nairobi, Kenya.

TABLE OF CONTENTS



Page 2



Page 5



Page 11

Bruce E. Friedman's Legacy 2

By Sharon Callahan

Franklin Pierce: Trial Lawyer 5

By Professor Christopher M. Johnson

Loan Repayment Assistance Program 10

By Mary Sheffer & Brigitte Holmes

Viles Fellowship Recipient 11

By Sharon Callahan

Making a Difference

By Robert M. Viles

Muriel Finnegan '81 13

Joseph C. Borsellino '87 16

Newsbriefs 19

Office of Institutional Advancement 25

Alumni News 26

Career Services 29

Class Actions 30

PIERCE  **LAW**
FRANKLIN PIERCE LAW CENTER

Office of Institutional Advancement

Franklin Pierce Law Center
Two White Street • Concord, NH 03301
603.228.1541 • www.piercelaw.edu

John D. Hutson *Dean & President*

Janet Rosa *Director of Institutional Advancement*

Sharon Callahan, APR *Director of Public Relations and Publications*
Editor

Denise Wester *Alumni Director*

Ruth Kimball *Administrative Assistant – Advancement*

BOARD OF TRUSTEES

Douglas J. Wood, Esq. '76, Chair
Anthony Buxton, Esq. '78

The Honorable Carol A. Conboy '78

Tadeusz Jerzy Dorda

Donna F. Edwards, Esq. '89

Lewis Gersh, Esq. '96

Morton E. Goulder

Karin A. Gregory, Esq. '88

The Honorable Bryan Harris

William L. Keefauver

The Honorable Gerald J. Mossinghoff

Ex Officio

Donald M. Alstadt

Morgan A. Hollis, Esq. '76

John Pendleton, Esq.

Robert H. Rines, Esq.

Dr. Kenan Sahin

Credits

Photography: Michael Marzelli
Portsmouth, NH
Sharon Callahan

Design: Desmarais Design,
Amherst, NH

Printing: Imperial Company
Lebanon, NH

Please submit alumni news items to:
Alumni Director Denise Wester
Email: dwester@piercelaw.edu

Cover Photo: The Class of 2003 processional crosses the stone bridge in White Park, opening Pierce Law's 30th Anniversary commencement exercises. Michael Ackerman '76, Pierce Law's first graduate, congratulates his daughter Jaime, a member of the Class of 2003.

Do Good as You Do Well

Bruce E. Friedman's Legacy:



INTRODUCTION BY RICHARD A. HESSE,
Professor Emeritus

In the early 1970s, two Harvard law students looking for an opportunity to supplement their academic education came to a public interest firm I directed. One of those students, Bruce Friedman, asked, “What kind of work do you do here?” As I explained that we worked on legislative and administrative policy issues and test case litigation, Bruce became impatient. He had little interest unless he could be directly involved with clients and expressed that lack of interest in a somewhat jocular manner. I concluded that he was something of a clown.

A few years later, I encountered Bruce again. He was then a staff attorney for New Hampshire Legal Assistance. At that early stage of his career he had begun to build a reputation for thinking outside the box, for dedication to his clients and for a healthy disrespect for entrenched authority. It was obvious that he was far more than a clown. It was Pierce Law’s good fortune to find Bruce ready and able to build its legal clinic when we decided to expand the program in the late 1970s. But we had no idea how fortunate we were.

Bruce regarded his law school experience as a model for everything legal education should not be. He recalled it as obtuse, overly abstract, impersonal, childishly competitive and largely irrelevant to his goals in life. Bruce recalled that many fellow students came to law school with aspirations for public service but lost those aspirations while studying the law. The point is that Bruce developed his philosophy of education before he came to Pierce Law. He was attracted to Pierce Law precisely because it was founded, in part, in the belief that education should be a cooperative, humane experience.

Bruce was a constant soldier in the battle to keep Pierce Law a humane place for students. Humane for the individual student. Humane for the community in which Pierce Law existed. Humane for the profession and the society which Pierce Law serves. He reflected that humanity in his professional life as a professor, as a practicing lawyer, as a role model for his students and his children and as a citizen of his town, his state, his country and the world.

Bruce was many things to many people. Students who did not know him well probably picture him as that somewhat disheveled professor hurrying down the hallway with a bundle of papers and a pile of books in his arms and far too busy to say “hello.” He carefully cultivated the image of a flaky, irreverent partner in the process of learning civil procedure. Students who worked with Bruce in the clinic knew him as the relentless, deadly serious legal professional—but with a sense of humor and a human perspective. Fellow professors knew him as champion for relevant education and for the students as consumers

“The best advice I ever received was from my dear friend and mentor, Bruce Friedman, who tragically died while on sabbatical in Beijing, China, where he was teaching students at Tsinghua University. Bruce’s advice to me was ‘to do good as you do well.’

For a quarter of a century, until his death at age 50, Bruce defended the rights of the powerless and, in particular, the children of New Hampshire. Bruce was their champion and fiercest protector. Bruce’s passion to make a difference has been an inspiration for me and my family.”

— Ronna Wise '80
Senior Partner
McSwiney, Semple, Bowers & Wise

and human beings. Clients and fellow lawyers knew him as an innovative, dedicated, persistent champion of the causes of the disadvantaged and defenseless members of our society.

But I doubt that anyone other than his family had the big picture. He seemed always to be busy dealing with the problems of today and the promise of tomorrow. His references to past accomplishments always had a purpose—to make a joke or to make a point, but never to claim credit or to promote himself. I recall meeting people—lawyers, legislators, community activists and neighbors—who related their experiences with Bruce in areas and events that were totally unknown to me despite my long and broad involvement with Bruce over the years.

Those of us in education are frequently heard to say that the real rewards of the profession are the wonderful moments when former students share the credit for their success with you. The accounts which follow are a brief sampling of Bruce's rewards. That Bruce strongly influenced those around him, especially law students, is a fact for which there is overwhelming evidence. For those who shared his goals, the public service work of his former students is a powerful living tribute to the life of Bruce Friedman.

Cheryl Landry '98

In 1998, Cheryl Landry '98 of Mendon, MA made her first solo humanitarian trip to Bosnia to perform eye examinations on refugees, soldiers, and orphans in Croatian, Muslim and Serbian held areas of Bosnia. She later traveled on three group missions, in 1996, 1997 and 1998. Together, over 7,000 pairs of eyeglasses were collected and transported to Bosnia and Kosovo. In 2002 and 2003, she performed eye examinations in Nevis, West Indies, an island without steady eye care, and she often accepts temporary optometry assignments during personnel shortages at Native American hospitals in Alaska.

Landry's humanitarian efforts are not limited to furnishing and fitting eyeglasses. While she works full-time as an optician in Woonsocket, RI, she has taken her education and multiple talents to bring medical services, clothing, and legal advice to men, women and children in her hometown, and around the world. A master seamstress, she initiated and funded projects to sew ShelterPaks, coats which double as sleeping bags, for adults. She also sews mittens and hats for the homeless, polar fleece capes for local nursing home residents, infant and toddler clothing for shelters with children, and stuffed animals for children too ill to leave the hospital during the holidays.

Landry is also certified flight instructor and holds a commercial pilots license for single engine planes. As a former volunteer aviation safety counselor for the Federal Aviation Administration, she conducted safety seminars on "pilot vision" and counseled pilots who violated FAA regulation.

Today, Landry's utilizes her Pierce Law education to conduct legal research and advise on civil rights issues for the Worcester County Chapter of American Civil Liberties Union of Massachusetts. She is also member of the planning board of her hometown of Mendon, MA.

"Bruce was a rare individual who could inspire you to run out and search for any way possible to help others and make a difference. Although I knew him only for a relatively short time, I know his influence on me will remain the rest of my life," says Landry.

Thomas Fredenburg '81

"I went to law school in order to become a poverty lawyer, so I can't say that Bruce persuaded me to spend my life in this work," says Thomas Fredenburg '81 of Concord, NH. "He did show me, and others, how a life and career of commitment to the disadvantaged, passion, and honor could be carved out of the law. He taught us all respect for our clients, the excitement of social change, and the joys of suing the state. I've been working for poor folks for 22 years now, so I guess he gave me a pretty good start. I think I'll always try to measure my work against Bruce's, which is, of course, an impossibly high standard."

After graduating from Pierce Law, Fredenburg worked for Southern Minnesota Regional Legal Services for two years as a Reginald Heber Smith Fellow. He later returned to New Hampshire to work at New Hampshire Legal Assistance from 1983 through 1996, where he served as the managing attorney of the Concord office until it closed.

"When Congress changed the rules of the legal services," says Fredenburg "I helped to create the Legal Assistance & Referral Center in Concord, where I have been a supervising attorney ever since. My work has been mainly in housing law, with significant cases involving prisoners' rights, exclusionary zoning, and welfare."

"My memories of Bruce flow from two years at the Family and Housing Law Clinic, from frequent case consultations over the years, and from countless hours on the basketball court," says Fredenburg. "Some of my most vivid memories of Bruce are the arguments, whether about the rights of poor clients to determine their own fates, or about the most honorable way to determine who got on the court for the next hoops game. We were always impassioned, our arguments were always extremely well-reasoned, and Bruce, of course, was always right."

"It's hard to imagine that Bruce has been gone this long—it feels as though his energy is still present, says Fredenburg. His name is still regularly and fondly invoked at the Green Street gym, not to mention that the old guys' league is now known as the Friedman Division."

Like many of Friedman's students, friends and associates, Fredenburg recently volunteered his time to help others. He took a year off to work in Nepal with his family.

Heather Hesse-Stromberg '95

Heather Hesse-Stromberg '95 of Rochester, NH works as a vocational counselor for individuals injured on the job who need assistance to return to work. Together with the injured worker, treating physician, employer and insurance company, she helps them determine their vocational goals and plan their return to employment. Before she joined Concentra Integrated Services in Bedford, NH, Hesse-Stromberg managed and developed programs for chronically and acutely mentally-ill elders at the Strafford Guidance Center, Inc. in Dover, NH.

"I supervised the treatment of chronically and acutely mentally ill elders and for persons suffering loss of function due to illness such as stroke, Parkinson's and multiple sclerosis," explains Hesse-Stromberg. "I also provided individual therapy and case management services."

"Over my years of working with Bruce," says Hesse-Stromberg, "he taught me the importance of leaving stereotypes and pre-conceptions at the door when working with people so as to fully understand their personal story. Bruce and I had many conversations in which I struggled with the frequency that what was "right" was not the legal result.

Through those conversations Bruce taught me perhaps the most important lesson a law school can impart—that I should not be an attorney but instead should return to social work where my heart was."

"Having been a child of Pierce Law faculty member," says Hesse-Stromberg, "I had known Bruce for years and had always been intimidated by him for I knew he was extremely bright and accomplished. Being a student in civil procedure confirmed that he was extremely bright and accomplished, and somewhat awkward and shy."

"When I enrolled in classes through the Civil Practice Clinic, I got to know the real Bruce. He was someone with a heart and passion for helping others that simply didn't quit. He was driven to work for those who couldn't do it for themselves for whatever reason. His integrity was unwavering and he was inspired by a dedication to what's 'right'."

"He was fair and open-minded and had a wonderful sense of humor and ability to laugh at himself," explains Hesse-Stromberg. "As dedicated as Bruce was to what's right, his death taught me the hardest lesson—it proved that what's "right" isn't always what happens."

“

I was a member of Bruce Friedman's final civil procedure class in the fall of 1997. Rather early in the semester, I learned that he was a huge fan of the University of Michigan athletic teams. Somewhat later in the semester I learned that Bruce and I had grown up ten years apart, but only about six blocks apart, in the same suburb of Columbus, OH—Ohio State territory. Why he went to Michigan, I never knew. Anyway, after Bruce's untimely death, I went out and bought a University of Michigan baseball cap, which I wore throughout the rest of my Pierce Law career, as a tribute to Bruce. I figured he'd understand just how much he meant to me if he happened to look down and see the world's biggest Ohio State fan wearing a Michigan hat for the better part of two years.

Several years after I graduated, my wife, Nancy Jo, and I were finishing up the preparations for adopting a baby girl from China. I did not make the trip, but Nancy Jo had two good traveling companions, including a good friend of Karen Friedman, Bruce's widow, who intended to meet up with Karen in Beijing. When I heard that Nancy Jo would be visiting Karen, I asked her to deliver my Michigan hat to Karen, along with the story behind it. When Nancy Jo met Karen, Karen told Nancy Jo about the contribution Bruce had made to our adoption, and all Chinese-American adoptions. It seems that many years ago Bruce and Karen wanted to adopt a Chinese baby. What they encountered, among other setbacks, were all sorts of red tape. Never one to leave a problem unsolved, Bruce played a major role in drafting the various treaties that have, in the years since, made Chinese-American adoption a straightforward regularized process. It still takes time and costs money, but the process itself is entirely transparent, unlike the situation that foreign adopters find in many other countries. So it is in large measure due to Bruce's efforts that Nancy Jo and I had the benefit of a smooth adoption process. And now whenever I look at my beautiful Chinese daughter, I am also reminded of Bruce Friedman and the work he did to streamline the process of adopting her.”

—Parker Potter '99

Franklin Pierce

TRIAL LAWYER

HISTORIANS RANK FRANKLIN PIERCE AMONG THE LEAST SUCCESSFUL OF AMERICAN PRESIDENTS. Serving at a time of increasing tension between the North and the South, he sought to preserve the Union by signing into law the Kansas-Nebraska Act of 1854. That law repealed the Missouri Compromise of 1820, which for decades had kept a semblance of sectional peace by specifying the territories in which slavery might exist. The new law reopened the question by empowering settlers in any territory to decide the matter themselves. Committed abolitionists and dedicated slavers responded by competing for power in the territories, and the resulting violence in Bleeding Kansas made John Brown famous and, by the example of guerrilla warfare pitting Americans against Americans, brought the nation closer to civil war.

Pierce fared no better in his efforts to unite the Democratic Party. Through his policies and appointments to federal office, Pierce sought to please the many factions of his splintering party. He succeeded in pleasing none, and his party did not renominate him. In 1852, at the age of 48, Pierce had won the presidency in a landslide—his opponent won only in Massachusetts, Vermont, Kentucky and Tennessee. When he retired in 1857, however, Pierce was regarded as a failure

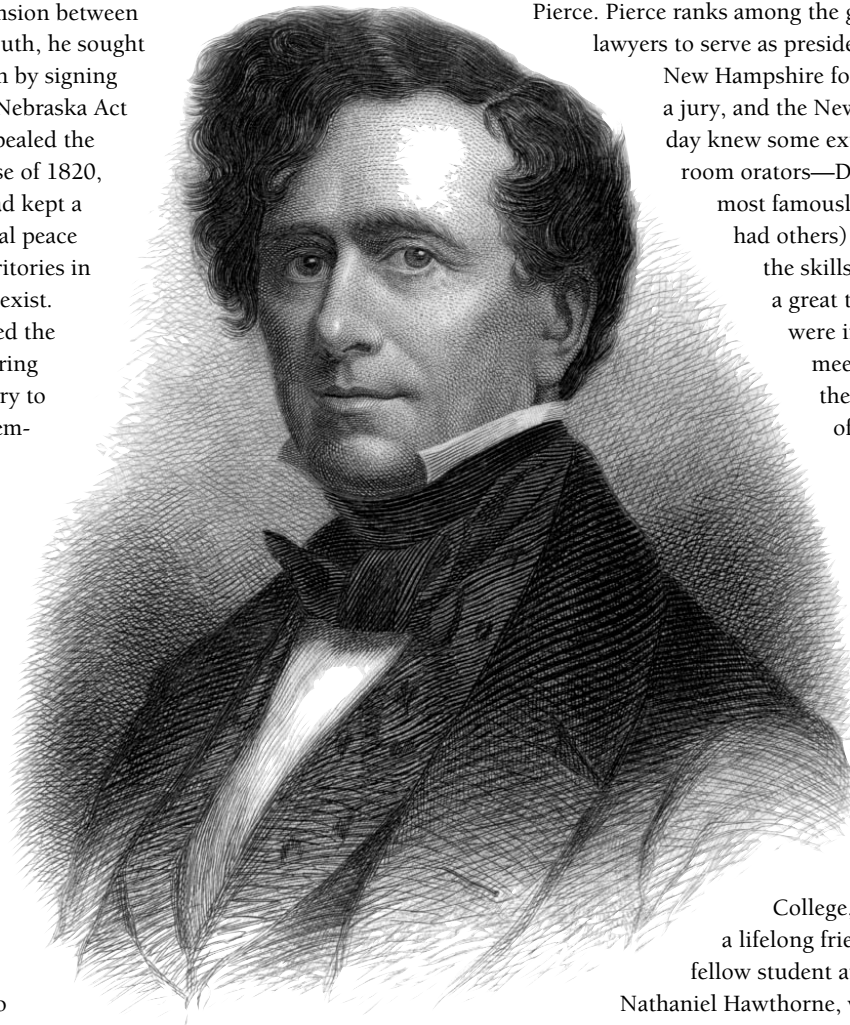
even in his home state of New Hampshire.

Failure met a stranger when it found President Pierce. Pierce ranks among the greatest trial lawyers to serve as president, renowned in New Hampshire for his skills before a jury, and the New Hampshire of his day knew some extraordinary courtroom orators—Daniel Webster most famously. But Pierce (as had others) discovered that the skills commanded by a great trial lawyer alone were insufficient to meet the demands of the nation's highest office.

Born in Hillsboro, New Hampshire in 1804, Pierce was the son of a Revolutionary War soldier who later served as a governor of New Hampshire. He studied at Bowdoin

College, where he formed a lifelong friendship with fellow student and future novelist

Nathaniel Hawthorne, who wrote a biography of Pierce for the presidential campaign of 1852. After graduating from Bowdoin, Pierce studied law with several lawyers in New Hampshire and Massachusetts, before being called to the New Hampshire Bar in 1827. Among those with whom Pierce studied was Levi Woodbury, who later served in the United States Senate and on the United States Supreme Court.



Pierce began to practice law in Hillsboro and, with his father's financial support, established his first office in a converted corner of an old horse shed. His attentions were quickly diverted by politics, however, as he soon added to the routine of a small town lawyer the activities of a precociously successful politician. In 1828, the citizens of Hillsboro elected Pierce moderator of the town meeting—a post he would hold for six years—where he presided over contentious disputes between “the friends of Mr. Jackson and those of Mr. Adams.”

The spring term of the court of common pleas soon followed, but the young lawyer's first case “was a failure, and perhaps a somewhat marked one.” When an older practitioner sought to console Pierce, the young advocate confidently replied, “I do not need that. I will try nine hundred and ninety-nine cases, if clients will continue to trust me, and if I fail, just as I have today, will try the thousandth.” But Pierce's immediate future lay outside the courtroom. As Hawthorne noted, “The enticements of political life—so especially fascinating to a young lawyer, but so irregular in its tendencies, and so inimical to steady professional labor—had begun to operate upon him...”

The citizens of Hillsboro sent Pierce to the state legislature in 1829 and in 1831, he was elected speaker of the New Hampshire House of Representatives. In 1832, Pierce moved to Washington to serve in the United States Congress as one of his state's five representatives. There he remained until 1837, when he returned to New Hampshire to resume the practice of law. In November of that year, however, the state legislature made him United States Senator, and he again suspended his law career to join, as its youngest member, a Senate that included such extraordinary political and oratorical talents as Daniel Webster, John C. Calhoun, and Henry Clay.

In 1841, at the behest of his wife who hated Washington, Pierce resigned from the Senate and returned to New Hampshire and the practice of law, this time settling in the capital city of Concord. Although Pierce remained active in party politics during the next decade, the law became his principal concern until his election to the presidency in 1852. That period of practice was interrupted only in 1847 when Pierce volunteered to serve in the war with Mexico. After enlisting as a private, Pierce was commissioned a Brigadier General, and saw action. Otherwise, Pierce declined responsibilities outside New Hampshire, as when President Polk offered him the post of U.S. Attorney General and when the New Hampshire legislature invited him to return to the United States Senate.

Between 1841 and 1852, Pierce entered into very successful law partnerships, with Asa Fowler, Josiah Minot, and others. The New Hampshire Reports contain more than seventy-five appellate cases in which Pierce's firms appeared, and demonstrate the breadth of his legal practice. He represented banks, railroads, towns, criminal defendants, civil litigants, and others in cases raising almost every kind of dispute known to the mid-19th century law. He also served as U.S. Attorney for the District of New Hampshire, having been appointed to the post by Polk in 1845.

Pierce never distinguished himself as a legal scholar. In his partnerships, it was Fowler or Minot who worked out the fine points of legal theory. But Pierce was a master of the rules of evidence, had an uncanny ability to read a witness, and

most importantly, possessed a personal grace and a winning eloquence that moved juries to adopt his view of the case. Said one scholar, “defending a man charged with murder, Pierce would weep out of pure sympathy, the jurors would weep with him, and after all this sentimentality there would probably be an acquittal.” A lawyer, recalling many years later Pierce's closing argument in a libel case, said, “his argument in this case for ability, clear and beautiful

illustration, apt quotations and pathos, has never been equaled in New Hampshire. It was the eloquence which stirs and rules the heart and conquers the reason. When General Pierce closed his argument there was not a jurymen and hardly a man in the court-house whose cheeks were not wet with tears.”

A vignette from that libel case, in which Pierce represented the defendant, illustrates the quality of Pierce's courtroom presence:

“In the course of the trial, a son of the defendant, then thirteen years of age, now well known as Colonel Shirley, was called as a witness. His testimony was important for the defense, as it contradicted one of the principal witnesses for the plaintiff. It related to the plaintiff's witness visiting the defendant to buy a yoke of oxen, and to conversation that passed between the parties. The boy testified that he remembered the circumstances and the talk, because the oxen were his favorites and he called it that he owned them, and did not wish his father to sell them.

Hubbard [plaintiff's counsel] cross-examined the boy quietly and gently but could not lead him in any way to contradict his testimony. Then finally he arose from his seat, approached him, and in earnest and almost savage manner attempted to overawe and frighten him. The boy stood the test and waited with perfect ease to see what was next, turning his eyes affectionately and reliantly upon Pierce.

“I will try nine hundred and ninety-nine cases, if clients will continue to trust me, and if I fail, just as I have today, will try the thousandth.”

—FRANKLIN PIERCE

Pierce had watched this cross-examination. His interest in the case and his sympathy for the boy were intense, and as the last answer was given and as their eyes met, there was such a glow in the face and eyes of Pierce that as Colonel Shirley to-day will tell you, it seemed as if a sunburst with a soft mellow light fell upon him and every juryman. It touched the hearts of everyone who saw it. This appearance upon the face of General Pierce has been noted by others in similar cases."

Trial lawyers know that such moments, though never noted in a transcript, can determine the outcome of a case, and the most telling sentence is the last, which suggests that Pierce possessed the rare ability not merely to recognize such moments, but to make them. Said one biographer,



"people from all over New Hampshire fought for a place in his courtrooms, and he seldom disappointed them. Pierce had little interest in the drab bookwork of law, but he was a master at assessing a jury at a glance, then appealing to its most emotional—and least reasoning—aspects. He took high-profile cases regardless of whether the client was innocent, won frequently, and his fame spread."

Two largely forgotten cases illustrate the skill with which Pierce practiced the art of persuasion. The first involves the Shakers and the second, a murder.

In 1848, agitation against the Shakers in New Hampshire led to legislation proposed by Asa Fowler, Pierce's former law partner, prohibiting "the binding of minor children to the Shakers, providing for the support of the wife and children of husbands joining that society and for the remuneration of persons leaving the same." The

Shakers retained Pierce and two other distinguished lawyers to represent them in the legislative hearings. Pierce did not prevail in the House, but the power of his evidentiary presentation and arguments produced a strongly worded minority report, and the New Hampshire Senate unanimously voted to table the bill indefinitely. "This victory, won by the courage and sagacity of Franklin Pierce and his clients, ended all attempts in this state to embarrass the Shakers by hostile legislation."

The second case began on March 26, 1845, in Manchester, New Hampshire, when a tax collector named Jonas Parker was brutally stabbed to death in a snowy patch of woods. Parker was a powerfully built man who carried large sums of money with him. Witnesses reported that a man, evidently known to Parker, had called for him at a tavern that night, and Parker left with the man. A passer-by followed the two at a distance before turning off home, and then heard Parker's screams as he was killed.

Five years passed before the investigating authorities brought three brothers—Horace, Asa, and Henry Wentworth—and William Clark to court. Asa and Henry Wentworth were sometime tavern keepers of questionable reputation, Clark was an itinerant oilcloth peddler, and Horace was a retail clerk. The evidence against them consisted principally of the testimony of persons as to statements made by the defendants admitting their guilt. Pierce and another lawyer were hired to represent Clark and Asa and Henry Wentworth. Benjamin Butler, later a Union general during the Civil War and a founder of the American Bar Association, represented Horace. On May 30, 1850, a preliminary hearing began to determine whether sufficient evidence existed to charge the men.

The newspaper transcript of the hearing reveals Pierce's skills as a lawyer (and reflects the more leisurely pace of 19th century litigation). The newspaper reported, for example, that "Gen. Pierce objected to having the prosecuting counsel pointing out to the witness the points on which he should speak, with Dr. Gregg's notes in his hand as a prompter. It was against all usage in the Courts of this State. The speech of Gen. P. was a strong effort, equal to his best." Today, no lawyer gives a great speech when merely objecting to a leading question.

However, a lawyer of any era may admire Pierce's cross-examination of Eliza Smith, a young woman who claimed, while working in the home of Asa Wentworth, to have seen the three Wentworth brothers the morning after the murder. According to Smith, Horace appeared with a wounded hand while Henry wore bloody clothes and threatened her with Parker's fate, should she ever tell of the things she saw.

Pierce began gently enough by asking about her family situation, and soon established that Smith had borne two children under circumstances having a tenuous connection

with her marriage, and had abandoned the children with relatives. When Smith tried, by vague replies, to mitigate her misdeeds, Pierce compelled her to admit that her ambiguities were either lies or reflected a poor memory of the events. Having thus at a stroke proven the witness's dishonorable conduct as wife and mother, her falsehoods under oath, and her poor memory, Pierce proceeded to lead her into other inconsistencies.

Pierce finished Smith with a small masterpiece of cross-examination, casting doubt on her ability even to perceive that which stood right before her eyes. He directed her attention to the crowded gallery and asked whether she recognized any of the women present. The newspaper reports the concluding exchange thus:

Witness: Do not see any woman here whom I ever saw at Asa Wentworth's.

(Mrs. Asa Wentworth is sitting in front of witness).

Witness: Do not see anybody that looks like Mrs. Asa Wentworth

(Gen. P. here pointed to Mrs. W.)

Gen. P.: Is this Mrs. Asa Wentworth?

Witness: If it is, she looks very pale to what she used to.

Gen. P.: Does it not look much like her?

Witness: I think it does.

(Gen. P. here said to Mr. Atherton [co-counsel], but loud enough for witness to hear also, "She will yet make it out to be her")

Gen. P.: *(to witness)* Do you really think this is Mrs. Asa Wentworth, the woman you worked for four months?

Witness: I do not.

In fact, it was Mrs. Wentworth.

Pierce's closing argument was predictably powerful. The judge dismissed the charges against Horace Wentworth and Clark, but bound over Asa and Henry Wentworth to the grand jury. Pierce moved the court to amend the charge against Henry and Asa to make it bailable, arguing that further incarceration would ruin them irretrievably, and he offered to pledge all his own property to guarantee their appearance at further proceedings. The court declined, but the prosecutor soon afterwards conceded that insufficient evidence of guilt existed, and the grand jury refused to indict the two men. Nobody was ever prosecuted for the Parker murder.¹

To understand legal practice of that period and its influence upon Pierce, it is useful to know something of the courts in which he labored. At the time Pierce flourished, New Hampshire courts were just emerging from a period of extraordinary development. In 1767, only eight lawyers practiced in New Hampshire, and until 1800, most judges possessed no legal training. Appeals from decisions of trial

courts were taken to the state legislature, formally known then and now as the "General Court." As a consequence, any litigant dissatisfied after trial could reverse the result by persuading a majority of legislators to vote that the litigant be "restored to his law." Because of that demoralizing circumstance, and because judges' pay was very low, few able lawyers of that period would serve as judges.

Progress toward making the judiciary independent of the legislature and staffing it with capable lawyers slowly advanced during the first decades of the 1800s. By 1830, the city of Concord alone had eight lawyers. Yet even then, the day was not so far past when a New Hampshire judge instructing a jury, proceeded as follows:

In one of his inimitable charges to the jury, Judge Dudley began by abusing the lawyers who had just argued the case, and continued somewhat in this fashion: "They talk of law. Why, gentlemen, it is not law we want, but justice. They would govern us by the common law of England. Trust me, gentlemen, common sense is a much safer guide for us, the common sense of Raymond, Epping, Exeter and the other towns which have sent us here to try this case between two of our neighbors. A clear head and an honest heart are worth more than all the law of all the lawyers."

One can well appreciate how a lawyer might tend toward conservatism and rigidly adhere to precedent, when that lawyer practices so soon after an age when non-lawyer judges ignored precedent and instructed jurors to disregard the law, and when litigants with legislative influence could evade the clearest commands of settled law. One can discern in Pierce's presidency an almost pathological commitment to unpopular and unsuccessful policies pursued because they prevailed in the past. Pierce's support for the Kansas-Nebraska Act does not contradict this diagnosis, because he regarded the Missouri Compromise as unfaithful to an older principal of federal non-interference in a state's choice as to slavery.

Family traditions and personal tragedies also influenced Pierce's thinking. His father Benjamin served in the Continental Army with General Washington for close to nine years, participating in Bunker Hill and other battles, and in the hardships of Valley Forge. Knowing how dear a price was paid for independence, Benjamin Pierce valued as sacred the union of states it created. Young Franklin was raised to view preservation of the Union as the chief aim of the federal government.

That view of the role of government is as notable for what it does not include, as for what it does. In Pierce's view, a government that exists chiefly to preserve the Union need not, and generally should not, concern itself with improving the Union. Accordingly, Pierce had opposed such measures as the establishment of the military academy at West Point, the improvement of roads in western states, and any liberal Federal financial support for railroad development.

Pierce's view extended to the most important issue of his time—slavery. In his inaugural address, Pierce stated that “Involuntary servitude... is recognized by the Constitution [and] stands like any other admitted right.”

Pierce despised the abolitionist movement, for he saw it as endangering the Union by promoting federal interference in the purely domestic affairs of the southern states. This view distinguished Pierce from Abraham Lincoln, another lawyer-president who in some respects Pierce resembled. One historian compared the two men thus: “Pierce was over sentimental and emotional while Lincoln, the equal of Pierce in tolerance and loving kindness, had within him a certain balancing coolness and logic that Pierce lacked... [Lincoln] had also courage where Pierce was fearful, strength where Pierce had weakness. Above all, it is to be said that Pierce never saw the moral blackness of slavery, while Lincoln could never forget it.”

Tragedies afflicted Pierce's adult life, and undoubtedly weakened him. He endured a life-long struggle with alcoholism. Probably of greater debilitating importance, though, were the deaths of his children.

In 1834, Pierce married Jane Means Appleton, an exceptionally devout Christian with a tendency to poor health. Their first child, Franklin, Jr., died three days after his birth in 1836. A second child, Frank Robert, died at age four. Their third and last child, Benjamin, was eleven years old when his father was elected President. Both Pierces doted on the boy.

Early in 1853, after Pierce's election but before he took office, Benjamin accompanied his parents on a journey to Boston, where they visited with relatives and Pierce consulted with leaders in preparation for his presidency. During the return journey to Concord, their train derailed, causing young Benjamin to be crushed before his parents' eyes. He died in their arms.

Mrs. Pierce never recovered. During the rest of her life, she wrote letters addressed to her deceased son. And Franklin Pierce was never afterwards the man he had been—

his presidency burdened not only with the terrible loss, but also by the explanation his devout wife accepted for the reason a just God had taken Benjamin:

“God,” said she, “had taken their boy so that Pierce might have no distraction, caused by his preoccupation in the child's welfare, to interfere with his attention to the great responsibilities which were to be his. His high honor had been purchased at the price of his son's sacrifice.”

Pierce did not resume the practice of law after his presidency, and he and his politics grew ever more unpopular during the Civil War. In his last years, Pierce's “propensity for alcohol overcame him,” and he died in 1869.

Several circumstances make remembrance of Franklin Pierce particularly timely in 2004. The 200th anniversary of his birth will coincide with a presidential campaign that begins in New Hampshire and will, undoubtedly, feature would-be lawyer-presidents seeking the nomination of Pierce's Democratic Party. President George W. Bush also

has a connection

with Pierce, as Bush's mother Barbara is a distant relation. In an earlier time, the lessons of

Pierce's life and presidency improved his successors.

“Unwittingly, Pierce and Douglas metamorphosed Abraham Lincoln.

Never again would his political speeches be pitched on a low note.

No longer would he resort to crude burlesque. The wind sown gave the country a new Lincoln; the whirlwind raised him from obscurity to fame, from a somewhat coarse local politician to a world-famous statesman.” May Pierce's example, that of a great trial lawyer but a failed president, a good man but one who took the wrong side of the central issue of his time, improve as much his next successor.

From America's Lawyer-Presidents, a book by the American Bar Association Museum of Law, to be published by Northwestern University Press in the summer of 2004.

¹ Thorp, an historian of the City of Manchester, reports that many years later Butler, then Governor of Massachusetts, disclosed that he had reliable information that men wholly unconnected with the Wentworths had perpetrated the crime, one of whom Butler represented and saw hanged for another crime.



Did you know that from 1991 to 2001 private law school tuition increased 76% (from \$12,999 to \$22,870)? Did you also know that public interest and government salaries increased only 37% in that same time period? Public interest went from \$25,500 to \$35,000 and government—including state and federal—went from \$30,000 to \$41,000. It is no wonder many law students were priced out of working in the public interest.

PIERCE LAW'S LOAN ASSISTANCE REPAYMENT PROGRAM

BY MARY SHEFFER AND BRIGETTE SIFF-HOLMES

To combat the phenomenon of being “priced out of public interest,” in 1987 Pierce Law established the Phinney Fund, a loan repayment assistance program. The fund was established through the efforts of James Duggan, then a professor of criminal procedure and the New Hampshire Appellate Defender, and Eileen Phinney, widow of Bill Phinney, a well respected New Hampshire lawyer and co-founder of the Sheehan, Phinney, Bass & Green firm, who set a personal example of pro bono representation. Mrs. Phinney wanted to do something for law students to honor the memory of her husband. With her generous support, the Phinney Fund was established to help public interest attorneys repay their student loans. In its original form, the Phinney Fund was available only to graduates working as legal aid lawyers or public defenders. With those restrictions, the Fund received approximately 5–6 applications per year.

As law school tuition costs continued to rise, it became apparent to law schools, public interest employers, and the National Association for Public Interest Law (now Equal Justice Works), that fewer and fewer graduates were pursuing careers in public interest law because they simply could not afford to. Unlike Pierce Law, most schools did not have loan repayment assistance programs, so graduates were left with daunting loan payments, on top of their cost of living. NAPIL began educating law schools and law students about the benefits of loan repayment assistance, and helped many schools create a loan repayment assistance program. This publicity did not go unnoticed by students at Pierce Law.

In 1998, a group of law students approached Acting Dean James Duggan and proposed that the school augment the Phinney Fund and make it available to all students working in the public interest. A plan was worked out, a deal was struck and the Phinney Fund grew into Pierce Law's loan repayment assistance program, now known as the Phinney Fund Loan Repayment Assistance Program.

This year we had a record-breaking 17 applications to the Phinney Fund. Pierce Law graduates working for public defenders and county prosecutor offices, New Hampshire Legal Assistance, National Alliance for the Mentally Ill, CASA, and the Disabilities Rights Center, to name a few, were awarded money from the Phinney Fund.

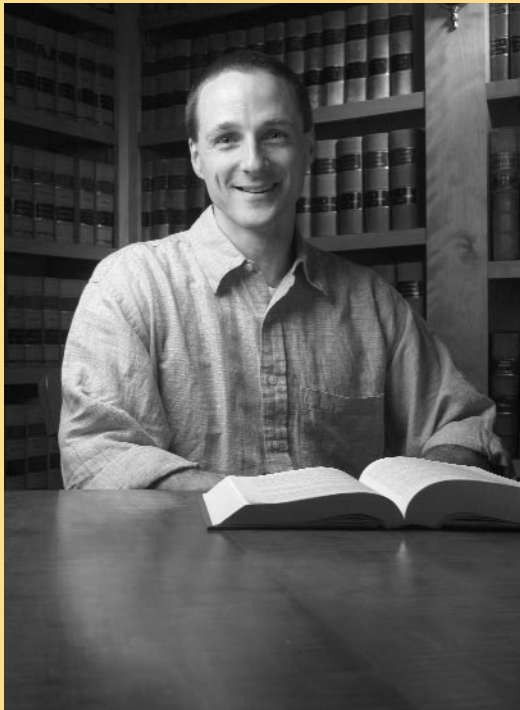
We are proud to support our graduates who choose to work in the public interest.

Mary Sheffer is assistant dean for career services and Brigitte Siff Holmes is director of Pierce Law's Social Justice Institute.

PAUL J. HOMER '05 OF AMHERST, NY MET THE EXTENSIVE CRITERIA REQUIRED TO BECOME THE FIRST RECIPIENT OF PIERCE LAW'S ROBERT M. VILES "MAKING A DIFFERENCE" FELLOWSHIP—AND IT'S EASY TO UNDERSTAND WHY.

PAUL J. HOMER '05

First Recipient of the Robert M. Viles "MAKING A DIFFERENCE" FELLOWSHIP



Paul Homer '05 of Amherst, NY is the first recipient of the Robert M. Viles "Making a Difference" Fellowship. He was also awarded one of Pierce Law's 2003 Public Interest Law Fellowships, and will spend this summer in Arusha, Tanzania working for the United Nation's War Crimes Tribunal for Rwanda.

Homer's commitment to public interest work extends across continents and over many years. At age 32, he has already brought environmental education and expertise to the peoples of rural Senegal, musical instruction to children in grades K-12 in Venezuela, and organized and managed a summer tour of the New England Conservatory Youth Philharmonic Orchestra throughout Brazil.

Homer's credentials are exemplary. He holds a BA degree with honors and distinction in international politics from Pennsylvania State University where he graduated Phi Beta Kappa and Phi Kappa Phi in 1991. He also earned a master's in music degree with academic honors in music education from the New England Conservatory of Music, Boston in 1999.

A native of Buffalo, NY, Homer first became interested in public interest work through his parents, both educators and dedicated public servants. During his senior year at Williamsville East High School, Homer received a Congress-Bundestag Exchange Scholarship that enabled him to travel to Luebeck, Germany to study at the Katharineum Gymnasium from 1987–1988 where he developed an interest in international public service.

After graduating from Penn State, Homer attended The Center of Human Potential in Thies, Senegal in 1992, participating in a cross-cultural language and professional training program, before beginning his two-year service in Senegal as an environmental educator and forestry extension agent in the United States Peace Corps.

Following his work in the Peace Corps, Homer worked and attended school at the New England Conservatory of

Music, earning an MM degree in music education in 1999, concentrating in ethnomusicology and world music. While attending the Conservatory, he managed the Youth Philharmonic Orchestra's tour through Brazil during the summer of 1997, and taught music in grades K-6 at inner city public schools in Worcester, MA.

In 1999, he accepted a two-year assignment teaching music to children in grades K-12 and social studies to students in grades 9-12 at the Escuela Las Morochas in Ojeda, Venezuela. In addition to starting a school band, chorus, and guitar quintet, he taught the children about their local social and musical styles and traditions, and integrated other subjects, including art and dance, into the music education curriculum. His social studies classes

worked to develop students' critical reasoning and writing skills, encourage students to take responsibility to act in their own communities, and connect students to the individual stories and characters that make up both historic and present day world culture and politics.

Prior to applying to Pierce Law, Homer worked as a substitute teacher in Concord's Second Start English as a Second Language (ESL) Program teaching adult students from various cultures. After graduation, Homer plans to pursue a career in international law.

Homer is married to Melinda Carpenter, who works as an epidemiologist for the State of New Hampshire.

The Robert M. Viles "Making a Difference" Fellowship

The Robert M. Viles "Making a Difference" Fellowship was established "to encourage and continue the long standing Pierce Law tradition, as envisioned and inspired by Robert M. Viles, of educating, training and graduating law students committed to careers in public interest law. The Fellowship is named in honor of former president and longtime dean, Robert M. Viles.

It is a competitive merit award presented to one full-time law student in each first-year class at Pierce Law, and includes a full-tuition scholarship and a \$7,500 stipend each year for three years.

GUIDELINES

Candidates must apply for acceptance as first-year law students to Pierce Law with the intention of graduating from Pierce Law, and earning a juris doctorate (JD) degree. High GPAs and high LSAT scores are important examples of scholarly excellence. However, successful candidates' applications must also include evidence of their future dedication to public interest law. Candidates should be involved in public interest efforts beyond the reaches of academia. The breadth of the candidate's public interest involvement is of critical importance to the Fellowship Committee.

The Viles Fellowship is awarded for three consecutive years and cannot be deferred. Viles Fellows are required to carry a full course load during the Viles Fellowship academic years. Viles Fellows are encouraged not to accept supplementary awards. Viles Fellows must maintain a 3.20 GPA and be active participants in one of the public interest clinics at Pierce Law. The Fellowship Committee will monitor the progress of Viles Fellows until graduation. The Fellowship Committee is charged with ensuring that the Viles Fellows meet the Fellowship guidelines, and continue to identify candidates who are committed to satisfying dynamic public interest demands.

For additional information, please contact the Admissions Office, admissions@piercelaw.edu



MAKING A DIFFERENCE: Alumni Profile

BY ROBERT M. VILES

Muriel A. Finnegan '81

Board of Medicine Patient Advocate

In 1986, Muriel Finnegan became a complaint counsel and associate prosecutor for the Massachusetts Board of Registration in Medicine. In this job, she has been a national pioneer in proceeding against physicians charged with sexual contact with their patients, conduct strictly forbidden by medical ethics. In a feature article in 1996, *Boston Globe* writer Dick Lehr quoted Finnegan's former supervisor Peter Clark as saying, "Muriel invented the board's sexual misconduct investigation and invented the techniques for prosecuting the cases. She wrote the book." In the same article, Jane Wohlberg of the Therapist Exploitation Link Line said: "If I were a doctor or psychiatrist and I was sitting at the table across from her—what is she, 4 foot 10? Freckle-faced, curly-haired, asking questions in a soft voice, with that slight smile. She almost seems unsure of herself. I wouldn't tend to take her seriously, and that's a terrible mistake, because it allows her to come up through the rear door and zap, nail 'em."

Finnegan explains herself in the article. "Exploitation—I don't like it. It's not so much the imbalance of power between the doctor and patient that gets me, as it is the betrayal of trust. And you know they are not going to pick the strongest person in the world to exploit that way."

In 1997, Finnegan, a frequent presenter on the topic of physicians' sexual misconduct, was the keynote speaker at Bridgewater State College's, her alma mater, Women's Institute Day. Her topic was "Making a Difference." Finnegan says she found the experience of addressing 300 college students a little overwhelming in comparison with the one-on-one litigation in which she engages routinely. "My public speaking coach from undergraduate days was there. She said she remembers how dramatically I improved."

The late Robert M. Viles, former dean and president of Franklin Pierce Law Center, interviewed Finnegan for the profile on August 11, 1998 in Boston, MA. It is one of twenty-five interviews Viles conducted for his book entitled Making a Difference which was to feature profiles of alumni he believed would make a positive impact on society. Two profiles will be included in every edition of The Advocate until they all have been published.



RMV: How did you happen to go to work for the Massachusetts Board of Registration in Medicine?

MAF: After graduating from Pierce Law I returned to my native Boston and practiced for five years with the Suffolk

County District Attorney's office, first in the Appellate Division, then in the Organized Crime Division. I wasn't getting a lot of trials. So when I saw an ad for a medical investigator's position with the Board of Registration, I thought I could combine my legal training with seven or eight years of pre-law experience in the medical field including the nursery of Boston Hospital. I had visions of doing malpractice cases and eventually making a lot of money in the private sector with this experience. The Board wasn't doing much work in the area of substandard medical care. We had a lot of drug diversion cases. When I started at the Board, we weren't getting many complaints of sexual misconduct. Then the sexual abuse cases began coming out of the woodwork.

RMV: How did that time in the late 1980s happen to be the right time?

MAF: Starting in the early 1980s, experts in the field of mental health began publishing articles on sexual abuse of patients. These articles contained data suggesting that it was harmful for a therapist to have sexual relations with a patient. Many patients felt shame and remorse after having sexual contact with their therapist. Others experienced anger, rage, repression, and symptoms of post-traumatic stress disorder. Some even committed suicide. A large part of this is because therapy patients tend to transfer primitive emotions to their therapist, such as the emotions they feel toward a parent or other significant authority figure. By its very nature, a therapeutic relationship will often activate sexual feelings in the patient and the therapist. It is not supposed to be acted upon, however.

A sexual relationship between patient and therapist is harmful to the patient because it ends the therapeutic relationship. It is fraud in a way. The roles are reversed. The therapist tells the patient his problems, his children's illnesses, difficulties with his wife, that sort of thing. The patient listens, becomes sympathetic, and gradually becomes the therapist.

There were hundreds of articles on this subject between 1980 and 1990. As a result, there was more understanding of the issues.

RMV: *How did you happen to get the sexual abuse cases when they broke?*

MAF: There were only two complaint counsels at the Board then, one male and one female. Now there are five full-time and two part-time.

I think that all along I have had two abilities that set me apart: empathy that allows me to develop trust outside the bureaucratic setting of my job and persistence that doesn't give up or take the easy route.

RMV: *If you can, without breaching a confidence, tell me about your first case.*

MAF: It's a matter of public record. The complainant was a woman recently divorced. The husband had gained custody of a child, but the woman had visitation rights. Although she had been treated for a bipolar emotional illness, she had been able to be the primary care provider for the child. She was devastated by the divorce and loss of custody. For a while she didn't even know where her child was. She was eventually found in Germany, where her ex-husband, a German national, had returned.

The woman had a complete emotional breakdown. In response, her therapist initiated a sexual relationship under the guise of comforting her. A number of years later, when the relationship was over, the woman became very angry and sued the therapist.

This is a common pattern of a behavior of abusing someone in crisis. One psychiatrist's victim was the widow of another psychiatrist, who had been murdered. For another physician, the victims of his exploitation were cancer patients.

RMV: *Are these examples of sexual misconduct representative?*

MAF: Yes. What we see are patterns of abuse; if a doctor does it once, he'll do it again. Isolated instances are unusual. The same patterns are found among other professionals as well, such as lawyers, especially matrimonial lawyers, and the clergy. As much as 15 to 20 percent of a profession is abusive.

RMV: *How does the Board process a sexual abuse complaint?*

MAF: First a complaint counsel, along with an investigator, interviews the complainant. Then we talk with witnesses, persons to whom the victim has complained or told her story. When the investigation is completed, we make a presentation to a subcommittee of the Board. Like a grand jury, it serves a screening function. It decides whether to initiate a complaint. After it is issued, a complaint may settle. If it is not, what is essentially a bench trial is held before an administrative magistrate.

RMV: *How many of the complaints that come into the office result ultimately in adjudication by an administrative magistrate?*

MAF: On average about ten percent of all cases result in a formal administrative complaint, although a complaint of sexual misconduct is more likely to ripen into a formal proceeding. Five years ago there was a lot of litigation, but now more complaints are settled. This is not true of sex-based cases, however. They are litigated. The defendant doctors usually argue over the ethics of their conduct, claiming, for example, that it occurred after the victim had ceased to be a patient and thus was not an

ethical violation. They also argue over the sanction to be imposed if they are found guilty. Generally the remedy is to suspend a physician's license if he has victimized many women.

RMV: *How do you see yourself making a difference?*

MAF: I think I have made a difference in the lives of women sexually abused by doctors. Before I arrived on the scene, they had no outlet. They were suffering in isolation. They didn't know that physicians engaged in patterns of abuse with patients. They were consumed with guilt; they thought that the abuse was their fault.

RMV: *In counseling a complainant, do you ever find yourself engaging in therapy?*

MAF: In a way, I help the victims heal. It's not part of my job description. Unlike the district attorney's office, we don't have people to do this at the Board of Registration.

"When I started at Franklin Pierce way back in 1978, the idea of making a difference in the lives of people was only a dream. Now it is a reality."

— Muriel A. Finnegan '81

RMV: *You have been a pioneer in exposing sexual abuse in the medical profession. Explain about the difference that has made.*

MAF: The publicity should have an effect in several ways. First, it educates the consumer by alerting people entering therapy to the danger signs in patterns of sexual abuse, for example, therapists talking about their private lives or asking their patients out to lunch or dinner. Second, the publicity also educates the professional and should have a deterrent effect. I hope that the fact that we're receiving a lot fewer complaints now is the result of less abuse, but the political climate is less favorable now to encouraging victims to speak out.

In addition, I've come to know a lot of people from other states through the Federation of State Medical Boards. Perhaps I've made a difference in training investigators and counsels from other states.

RMV: *Has your visibility as a prosecutor and public presenter taken a toll on you personally?*

MAF: Yes, it has. Although I'm insulated from complaints and retaliation because state lawyers are unionized in Massachusetts, I've found my career options narrowed. I would encourage anyone in a field like I'm in to avoid burnout.

I would like to have planned my career in ten-year intervals. You need to get in and get out. Now I've been where I am so long that I will have difficulty getting out. I had naively thought I would be viewed as a hero for exposing bad people. That was not appreciated by some members of the medical profession, however.

RMV: *How has the medical profession viewed you?*

MAF: The reaction was mixed. The medical profession can be pretty insular. Doctors as a group tend to identify with their colleagues better than with anyone else. Therefore some of them took offense at my airing the dirty laundry of their profession in public. I did not anticipate the backlash my work would produce. In addition, some members of the legal defense bar became incredibly hostile to me. A small group of lawyers developed a "medical board practice" representing doctors who were accused of misconduct. When the medical board became a force for change, they took advantage of the situation. They aggressively criticized the Board and me in general. As a side benefit, I am sure it generated a lot of business for them.

Especially in the last few years, I have concluded that doctors and others in health care don't trust the adversarial system. It's foreign to them and they think it gets in the way of finding the truth. They want to use a peer review model to treat errant behavior. You simply point out to your colleague where he made a mistake, and that's the end of it. They argue that they won't talk candidly if the public or a lawyer is involved. They see it as losing their autonomy. What it really means is that they want to be outside the control of government regulators. They don't want to be held personally accountable.

RMV: *How has your work over the past dozen years made a difference for you?*

MAF: Working with forensic psychiatrists has been a fascinating educational experience. They are specialists, and there are several different organizations of them. Also I worked with a legislative commission set up several years ago specifically for this issue. Composed of lawyers, doctors, legislators, and others, it was a fairly large group, divided into subgroups. It was very interesting to watch the group develop a consensus for change. It recommended criminalizing sexual contact with a psychotherapeutic patient and specifying liability for sexual misconduct by mental health professionals for coverage by medical malpractice insurance. These recommendations have not been adopted, although Massachusetts has enacted legislation making it an unfair and deceptive practice for a physician who has lost his license because of sexual misconduct to practice psychotherapy, which itself is not licensed in the state.

RMV: *Would you do it over again?*

MAF: Sure, there is something very gratifying about doing the right thing, as a lawyer and as a person. When I started at Franklin Pierce way back in 1978, the idea of making a difference in the lives of people was only a dream. Now it is a reality. The law gave me a vehicle with which I could serve others. This will always be a source of pride for me.

MAKING A DIFFERENCE: Alumni Profile

BY ROBERT M. VILES

Joseph C. Borsellino '87

From the Projects to the Courts: Civil Rights Lawyer

Joseph Borsellino's father was Italian; his mother, part Indian; his mother's second husband, black. Born in Chicago, Joe and his three siblings grew up in Peoria, IL, to which his mother moved. At first they lived in a public housing project that was rapidly becoming black. Later they moved out of the project into a low-income, primarily black, neighborhood. He graduated from Bradley University in Peoria and later came to New Hampshire to attend Franklin Pierce Law Center.

*Robert Viles interviewed Borsellino on January 21, 1999
Boston, MA*

RMV: What was it like growing up in Peoria?

JCB: It was bad for me, but worse for my neighbors. I identified with black culture and was discriminated against because I associated with it. I tried to balance being white and being close to the black community. At the early age of five my destiny was sealed. I've spent my whole life battling racism, class, and poverty.

RMV: How did you happen to come from Peoria, Illinois, to Concord, New Hampshire?

JCB: It was the Law Center's admissions brochure. It said the school encouraged academic exploration. That was not like other law schools.

I'm really glad I went to Franklin Pierce Law Center, although it didn't help me get my first job in Boston, which paid \$19,000 a year. People kept asking me, "Did you graduate from a barn?" Franklin Pierce Law Center, however, made my legal education meaningful.

I knew I could take tests successfully. Bringing out the best in a student is different. At Franklin Pierce Law Center there was freedom and structure, and that's what education is all about. The setting of the school was also attractive. I still go to the White Mountains. I get mental solitude from them.



RMV: Did anyone at Franklin Pierce Law Center have a particular influence on you?

JCB: Yes. [Professor] Hugh Gibbons was an inspiration. He gave me the freedom to apply who I am to the law.

RMV: How did he do that?

JCB: As Hugh wrote in one of his books, "The will of each person is worthy of and entitled to respect." This axiom was meaningful to me. I cared about what I was going to do as a lawyer. And that axiom proved to be the foundation of my interest and practice of law.

Hugh had unlimited patience, tolerance and encouragement. He encouraged me to think deeply. Did I agree with the real estate system? With the tort law? With the jury system? What principles underlay or should underlay each of them? Then I developed projects to test, support and apply my views. This went on for three years.

RMV: Did you go into civil rights practice as soon as you graduated?

JCB: Linking up with the Boston Chapter of the NAACP in 1989 was the launching pad. I started as a volunteer lawyer in the Legal Redress Clinic. I won many cases, getting accolades and love letters from the public. In a year, I was promoted to supervisor, serving a leadership role once played by Diane Wilkinson, who went on to become a state senator. The promotion raised questions because I was white. I was disliked by some, liked by others, in both the black and white communities.

RMV: Was this your job?

JCB: This was my job from five o'clock until midnight or later, two to five days a week. During the day I was lead trial attorney for Avis, two major taxi companies in Boston and one in Brookline. I had a lot of jury cases, mostly arising out of motor vehicle accidents.

RMV: What kind of cases did you have at night?

JCB: In the early '90s there was a \$40 million settlement of a mortgage scam that caused borrowers to lose their homes through foreclosure of second mortgages. After the settlement, people flooded the Clinic with shoeboxes full of records to prove that they were among the victims. We helped them get their cases sorted out and sent them to private lawyers.

At the same time employment discrimination was booming. It still is booming. There are now 9,000 complaints before the Massachusetts Discrimination Commission, most of them about employment discrimination. I also handled many education discrimination cases, hate crimes, police misconduct, public accommodations and other discrimination cases.

RMV: Do you believe you were making a difference in the Legal Redress Clinic?

JCB: Yes, I helped level the playing field economically, assisting people to live decently even if people don't like them. We made a big difference in the lives of many of the people who came to the Clinic, and we made a big difference in the meaning of our own lives.

RMV: How were you able to be in court for the Clinic when you already had a full-time day job?

JCB: The managing attorney for Avis and taxi businesses wanted me to stay. He let me conduct my civil rights practice during the day as long as I got their work done. That worked, but my heart was into serving minority communities like the one that raised me.

RMV: What happened as the years went by?

JCB: We built up the Legal Redress Clinic to 14 lawyers. We had interns and volunteers from most of the Boston-area law schools. We helped pro se litigants. We gave great service to hundreds of Massachusetts residents. Then the national NAACP crisis spread to Boston. The Boston branch lost its building and became a shell of an organization. We lawyers tried to stay together. I went with the Massachusetts Black Lawyers as project manager to develop a legal clinic. Although we tried, it didn't happen. Ultimately I started my own civil rights clinic in a private practice. I took meritorious cases pro bono or on contingency.

RMV: When did you go into private practice?

JCB: Beginning in 1995, I worked full-time in a private practice in Roxbury, MA. I had tried writing grants, but it was too much to do that, practice law, and also be responsible for space. So I worked a deal with a private firm to include civil rights representation and pro bono cases in my practice, while I was lead civil litigator for that firm.

RMV: Tell me about the law firm. Is it unique?

JCB: There were six lawyers and 23 employees in all, extremely racially mixed. In that sense it was unique.

RMV: How much of your practice did you spend on civil rights matters?

JCB: About 30%. I did well, and received fees in a high percentage of cases.

The rest of the time I did personal injury work—motor vehicle accidents, product liability cases, slips-and-falls. These cases are easier to prove and more lucrative. The practices are complimentary because the profit from civil litigation allows you to serve the public interest.

Civil rights cases are not like civil litigation. They are blood and guts. It is rare to get any help from witnesses or resources to bring them. I can't emphasize how hard

it is to make social change.

RMV: When did you take your present job?

JCB: In 1999, I joined a small, four-person firm in Newton where I have increased freedom to select my own clients and cases.

RMV: Do you have a strategy for selecting civil rights cases?

JCB: As mentioned earlier, I've concentrated on trying to level the economic playing field. Historically, I've targeted large public and private employers. For example, I sued the Trial Court of Massachusetts twice, and I believe the cases helped continue a trend of increased minority hiring.

I once challenged the Boston public schools for racially disparate provision of public funds to pay for private special education. In doing so, I helped enroll an African-American youth on the verge of emotional and academic failure, in a private school, where after, the youth persevered and became a college graduate.

"Hugh Gibbons was an inspiration. He gave me the freedom to apply who I am to the law."

— Joseph C. Borsellino '87

Very few cases challenging this kind of discrimination against minorities are brought, however. This was a pro bono case because no attorney's fees are awarded unless you go all the way through the administrative process, and then appeal and win in the courts.

In another case, a private university touted that it knew the reason minorities did poorly on standardized tests. The reason was lack of speech and language skills. The university set up a graduate program to train minorities to go back into their communities and provide the skills. The problem was that the program never graduated any minority students. Instead, it created a hostile environment for the woman hired to run it and the students in it. I represented her at the U.S. Department of Education. The complaint was successful. In the end, four minorities were awarded graduate degrees.

Over the past nine years I've had a hand in well over 100 cases like these.

RMV: *Why are you so effective as a civil rights lawyer?*

JCB: In addition to having the skills of a lawyer, I have life-instilled empathy and survival skills from my upbringing in the projects. I know when people are lying, for example, and I can talk to a juror like a friend.

I do civil rights work because I have a need to do it. It's visceral; it's born in me. If I didn't do it, I couldn't live with myself. The church has helped me, too. Although I don't think of myself as a religious person, I do believe in the basic commandments, and, as concerns the law, in the axiom I discussed earlier.

RMV: *Have you ever taken a case that seemed overwhelming?*

JCB: Once, I sued the governor of Massachusetts and the Department of Public Safety on behalf of the state's drug czar, a black woman, involving among other things, her belief that the state used federal funds, in part, to warehouse, rather than to protect minority youth kids at risk. Nine of ten prosecutions for drug violations were against minorities, yet studies prove that whites use the same drugs at rates equal to or greater than minorities.

The state received \$2 million in federal money to protect youths at risk. The director responsible for distributing the money, the highest-ranking black person in the anti-drug apparatus, allocated monies to groups traditionally overlooked and in some ways challenged the white power structure. She was dismissed. I took her case. To prove discrimination, I had to learn about 18 other agencies. The case got out of control, as to time, resource, and evidence. It stalemated.

RMV: *Could you have benefited with help from a larger law office?*

JCB: I perceived that there was no help. Legal services such as the Greater Boston Legal Services, for instance, are dedicated and aggressive. They have compassion and conviction, and they work for peanuts. They simply don't have time or the resources to help another lawyer with his litigation. I was not confident any major private law firm would support this case.

RMV: *Does your commitment to civil rights representation give you any time for yourself?*

JCB: I've slowed down. I got married and have a four- and half-year-old son. My wife and son are now the loves of my life. But I still help others. It's not all litigation. A while ago a private school for girls at risk was started in Dorchester. I was asked to mentor one student. The nuns encouraged me to take more. I accepted four youths. I took them to the ballet, good restaurants, court and other places to show them what is possible for them and that they are as good as anyone. I started a college scholarship fund for them with personal contributions from fees received in cases I've won and from colleagues. I paid the first year college tuition for another talented young woman who graduated from college in biology and medical research. One of the four is an honors student at Holy Cross. Another is on full scholarship at Smith College. Another is at Pine Manor College. I am happy that I got out of the ghetto and the destructive parts of the ghetto out of me. I feel I have to put a rope down for others, and I have done so.

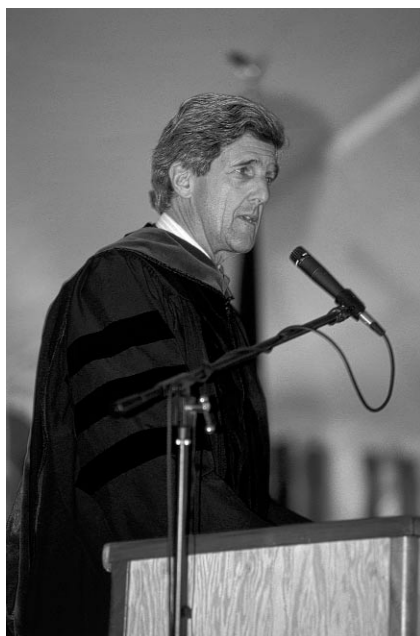
United States Senator John F. Kerry Addresses Pierce Law's Graduating Class of 2003 on 30th Anniversary

United States Senator John F. Kerry of Massachusetts addressed the graduating class at commencement exercises held in May. Professor Kimberly Kirkland was chosen by the members of the graduating class to deliver the faculty address. Students Anne Yates of West Monroe, LA and Jocelyn Kennedy of Concord, NN spoke on behalf of the graduating class.

Pierce Law awarded 102 juris doctor (JD) degrees, 30 joint juris doctor/master of intellectual property (JD/MIP) degrees and two joint juris doctor/master of education law degree (JD/MEL), 28 master of intellectual property (MIP) degrees, 43 master of laws in intellectual



Maxcelline Happi of Cameroon LLM '03 receives hugs of congratulations from her mother, Mama Madeleine Tientcheu, and uncle, Wande Louis.



Senator John F. Kerry

property (LLM) degrees, and one master of education law (MEL) degree.

Sen. Kerry was elected to the Senate in 1984 after serving as lieutenant governor of Massachusetts, and was re-elected in both 1990 and 1996. Now serving his fourth term, Sen. Kerry has worked to reform public education, address children's issues, strengthen the economy, encourage growth of the high tech economy, protect the environment and advance America's foreign policy interests around the globe.

He is a ranking member of the Senate's Committee on Small Business and Entrepreneurship, Hispanic Task Force, Subcommittee on Oceans, Fisheries and the Environment, and Subcommittee on East Asian and Pacific Affairs.

Sen. Kerry is the recipient of numerous awards including the Friend of the National Parks Award, 2003, from the National Parks Conservation Association for his outstanding voting record to protect national parks, the John W. McCormick Award for

Public Service, 2002, and the Massachusetts Telecommunications Council Policy Maker of the Year, 2002.

A native of Colorado, Sen. Kerry earned a BA from Yale University and JD from Boston College. Upon graduation he entered the Navy, serving on a gunboat in the Mekong Delta in Vietnam. He received a Silver Star, a Bronze Star with Combat V, and three Purple Heart awards for service in combat. He later co-founded the Vietnam Veterans of America.

Pierce Law Partners with Penn State's Eberly College of Science

Pierce Law and Penn State's Eberly College of Science have finalized an agreement establishing an accelerated program in science and intellectual property law. Participants in the program will receive a bachelor of science (BS) degree in Science from Penn State and a juris doctor (JD) degree from Pierce Law when they complete the six-year program.

"This initiative in intellectual property law with the Franklin Pierce Law Center closes the circle of accelerated science-medicine, science-business, and science-law programs offered by the Eberly College of Science," said Norman Freed, associate dean of the Eberly College of Science at Penn State. "Intellectual property law, a rapidly growing field, builds upon a solid foundation in the sciences and we are particularly delighted to have developed this initiative with the top-ranked intellectual property law school in the nation."

Under the agreement, Eberly College of Science students will enter Franklin Pierce Law Center after completion of their third year of undergraduate work and will earn a BS in Science from Penn State at the completion of the first year at Pierce Law. A JD degree will be awarded at the completion of the three-year program.

The combined program will prepare graduates for a career in intellectual proper-

ty law and will meet the patent bar requirements for number and type of science courses, which generally are not addressed in pre-law programs.

"The value of the program for students is that it opens up an excellent professional career opportunity and shortens the overall program by one year," says Don

Genson, James Balog faculty fellow in science and business. "For the College of Science, it provides a connection to society beyond the sciences themselves."

Genson will direct the program at Penn State and will serve as faculty advisor to its undergraduate students. According to Genson, a significant

number of science undergraduates continue their studies in law school. This program will allow them to accelerate the process and to obtain admission at Pierce Law earlier in the process.



Judge Hugh H. Bownes was honored at the Eleventh Annual Judge Hugh H. Bownes Forum on Civil Rights held in March. Attorney Erwin Chemerinsky, director of the Center for Communications Law and Policy at the University of Southern California Law School, Berkeley, CA, was the featured speaker. Pierce Law established the Forum on in 1992 as an annual commemoration of the writing of the Bill of Rights. Named after United States First Circuit Court Judge Hugh H. Bownes (center), the Forum is Pierce Law's annual renewal of its dedication to the protection of individual rights and liberties, and its testimonial to a man whose life's work is committed to these ideals. Bownes is pictured with Professor Emeritus Richard A. Hesse (lt.) and Dean and President John D. Hutson (rt.).

Pierce Law Announces Winners of First Eric Neisser Education Law Moot Court Competition

Hofstra University School of Law won first place in Franklin Pierce Law Center's first Eric Neisser Education Law Moot Court Competition held this spring. The University of Cincinnati College of Law placed second, and Pierce Law third. Hofstra University also won Best Brief—Petitioner, and Cincinnati took Best Brief—Respondent. In addition, the University of Cincinnati earned Best Oralist—Petitioner and Hofstra won Best Oralist—Respondent.

According to Professor Mary Pilkington-Casey, "The competition required the teams to write appellate court briefs and present oral arguments." The competition which took place at Concord District Court was judged by area attorneys, faculty and alumni.

The two-day competition honors former Pierce Law Dean Eric Neisser who headed the school from July 1, 1999 until his death on November 8. Before joining Pierce Law, Neisser was acting dean of Rutgers University Law School, Newark, NJ, where he had been a professor for over 20 years, teaching constitutional law, civil liberties, criminal procedure, judicial administration, and international human rights law.

The 2004 competition will be held on March 19 and 20. Applications are due November 15. Please contact Pilkington-Casey at mpcasey@piercelaw.edu.



Hofstra University School of Law won first place in Franklin Pierce Law Center's first Eric Neisser Education Law Moot Court Competition held this spring. The University of Cincinnati College of Law placed second, and Pierce Law third. Pictured are: (lt-rt) Sarah Spatt and Yolanda Schillinger of the University of Cincinnati, Heather Logan '04 and Barrett Christina '04 of Pierce Law, and Elizabeth Kaiser and Elizabeth Royalty of Hofstra University.

Students Win Second Place in National Lefkowitz Trademark Moot Court Competition

Pierce Law students won second place in the National Saul Lefkowitz Moot Court Competition held in Washington, DC this spring. The team of Kee Kim of Seattle, WA and Fran Whitaker of Manchester, NH, both second year law students, also won the award for "Best Brief in the Nation." Third-year law students Ann Yates of West Monroe, LA, president of the Moot Court Board, and Jennifer Wamsley of Cincinnati, OH served as coaches. Approximately 60 teams competed nationwide

in this event, with four teams proceeding to the national competition.

According to faculty adviser, Professor Susan Richey, "The students displayed an in-depth knowledge of trademark law and an ability to react quickly to the intense questioning of the judges. They distinguished themselves and Franklin Pierce Law Center." The team qualified for the national competition in February when they took first place in the Northeast Regional Saul Lefkowitz Moot Court Competition.

The annual competition is sponsored by the Brand Names Education Foundation, the educational complement to the International Trademark Association, and is intended to introduce law students to the varied issues involving trademark law and unfair competition. The competition bears the name of Saul Lefkowitz who served for more than 30 years in the United States Patent and Trademark Office.

Pierce Law Appoints New Trustee

The appointment of Tadeusz Jerzy Dorda of Los Angeles, CA to Franklin Pierce Law Center's board of trustees was recently announced by Douglas J. Wood, Esq., chair of the board.

"We are pleased that Mr. Dorda has agreed to join our board. His vast knowledge and experience in business, especially in an international context, will greatly benefit our current and future programs, both domestic and abroad," comments Dean and President John D. Hutson.

Dorda is the owner of the Peacock Corporation, producers of Chopin vodka. In December 2002, he was awarded a Golden Cross of Merit by the president of Poland for his activities and promotion of business with Poland. He is a member of the Polish Society of Economists. Advising Committee to the Prime Minister of Poland and also serves as a special representative of the Polish Confederation of Employers, representing Poland in the European Union.

Active in many charitable organizations, Dorda is director of the Orphan Mary Foundation, an organization that assists homeless children in Poland. He also supports projects for the improvement of mental health in Poland, and awards annual scholarships to students in the fields of marketing, business and art.

Born in 1951 in Cieszyn, southern Poland, Dorda earned a printing and engineering degree from Warsaw Technical University. He continued his education at Warsaw University as an economist, and later completed post-graduate studies at London

Business School in business administration in 1977. Dorda lived and worked in England until 1980 where he worked for EMI Medical, and H. B. Maynard. He later emigrated to the United States where he found success in real estate investment and insurance. In 1992,

Dorda re-established his ties to Poland, with investments in broadcasting, insurance, and distilled spirits.

Dorda is married, and has one daughter, Alexandra, age 12.



Pierce Law and Lavalley Brensinger, P. A. of Manchester, NH recently received an Honor Award from the American Institute of Architects of New Hampshire at the 2003 Design Award competition for the design of the F. Dane Buck, Jr. Building. Pictured are: John H. Zahr, president of Harvey Construction Corporation, Bedford, NH; interior designer Susien Sugeng; architect Chris Drobat of Lavalley Brensinger, P.A., Manchester, NH; Jeannie Mackay, former Pierce Law vice president for business; and Professor Emeritus Richard A. Hesse, chair of the Building Committee. For additional information on the awards please visit the AIA of New Hampshire web site at www.aianh.org/Pages/awards.html.

Fifteen Public Interest Law Fellowships Awarded

Franklin Pierce Law Center recently awarded 15 fellowships to students to perform pro bono legal work for nonprofit organizations in New Hampshire, throughout the United States and abroad. The fellowships are made possible through funds raised by the school's Eleventh Annual Public Interest Coalition Auction that this year raised over \$42,000.

Three of the 15 student fellows are funded by fellowship sponsors. They are: Sarah Fox of Sanborton, NH, Children's Alliance of New Hampshire, Concord, funded in part by the Nashua Bar Association; Mia Poliquin, Lewiston, ME; New Hampshire Attorney General's—Consumer Protection, Concord, funded in part by Sulloway & Hollis, and Shunsuke Sumitani of Los Angeles, CA, New Hampshire American Civil Liberties Union, funded in full by Lexis Law Publishing.

"The work of public interest fellows is critical to their communities, particularly now," according to Social Justice Institute Director Brigitte Siff Holmes.

"The current economy has created enormous challenges, both to disadvantaged individuals and to non-profit organizations which serve them. Without Pierce Law's Public Interest Coalition, a student organization which promotes the practice of public interest law, and the financial support of many New

Hampshire Bar members, members of the Pierce Law Community, and alumni, the legal services these students provide would not be possible," says Holmes.

"With a record number of applicants this year, student commitment to public interest law is strong. Pierce Law values and encourages public service within the legal profession. Fellows are selected, in part, based on their sincere desire to use legal skills and knowledge to help disadvantaged people and causes. These students will undoubtedly continue to serve their communities after law school graduation. A record 23 students applied for fellowships this year, 8 more than last year," Holmes explains.

The other students selected to receive fellowships, and the organizations that they will work for this summer are: Erin Barnes of Downers Grove, IL, New Hampshire Coalition Against Domestic and Sexual Violence, Concord;

Karen Coombs of Foxborough, MA, Concord City Prosecutor's Office; Concord; Margee Fagelson of Brattleboro, VT, Volunteer Lawyers for the Arts, Boston; Diana Fenton of North Conway, NH, Carroll County Prosecutor's Office, Ossipee, NH; Paul Homer of Amherst, NY, United Nation's War Crimes Tribunal for Rwanda, Arusha, Tanzania; Samantha Jewett of San Francisco, CA, United States Attorney

General's Office, Concord; Heather Logan of Landing, NJ, New Hampshire Pro Bono, Concord; Heidi Millard of Harford, PA; Queens County District Attorney, Queens, NY; Emilie Roth of Dubuque, IA, New Hampshire Commission on Human Rights, Concord; Amber Thibeault of Grand Isle, Vermont Drug Court Initiative Burlington, VT; Diane O'Callaghan of Concord, NH, New Hampshire Public Defender Program, Concord; and Melina Wright of Arlington, VA, New Hampshire

Department of Education, Concord.

According to Holmes, "The fellowships provide stipends to selected students which help cover living expenses, allowing them to help meet the legal needs of the under-represented in our communities." Fellowships are awarded only for unpaid summer internships. Awards are based on merit and strength of a student's application. The application process is competitive and non-partisan, allowing students to serve a broad range of public service organizations and clients.

Pierce Law Welcomes Largest First Year Class

Pierce Law will welcome its largest JD class in its 30-year history this fall when more than 150 students from 37 states and 12 countries arrive for orientation. The students represent 51 majors, 117 undergraduate colleges, and speak 21 languages.

According to Assistant Dean for Admissions Katie McDonald, "Applications were up over 50% this year. The Admissions Committee reviewed nearly 1,700 files. The admissions standard in academics has also risen, with the average LSAT score at 153, and GPA approximately 3.2."

"The diversity of the students' backgrounds is always what makes an incoming class so interesting," explains McDonald. One in-

coming student is a scientist who recently spent two years developing a satellite, and launched it from Russia in March. Several are refugees from such countries as Pakistan and Vietnam. A son, a daughter, a cousin and a sister of Pierce Law alumni will join this Class of 2006. A few students are volunteers in the Americorps, the Peace Corps and the Jesuit Volunteer Corps. Another student worked previously as a radio producer and one was a Boston Patriot's cheerleader. Several have worked as interns for U.S. Congressional and Senate Representatives. Others are musicians or athletes, and still others hold patents."

Franklin Pierce Law Center Web Sites Win Recognition

Pierce Law's web sites recently earned honors. The school's main site won first place in the education category at the Fifth Annual New Hampshire Internet Awards held in March. In addition, the school's IP Mall, a web site dedicated to intellectual property law, received high praise in the most recent edition of *Internet Law Researcher* magazine.

help users identify that they've moved on into the site." All of the winning sites can be viewed at www.NH.com.

The most recent issue of *Internet Law Researcher* states: "New Hampshire's Franklin Pierce Law Center keeps improving its pioneering IP web site, www.ipmall.fplc.edu. In its latest rendition, Pierce Law's

IP Mall has revised the look of its web site into a navigable, content-filled site, and continued to fill the site with useful information.... The IP Mall Web Resources page is a researcher's paradise. All kinds of comprehensive Web link lists have

been compiled.... There is much to explore at the IP Mall and the site should remain at the top of the IP researcher's list."

The Annual New Hampshire Internet Awards named Pierce Law's web site the "Best Education Site" in New Hampshire. The newly designed site, www.piercelaw.edu was created by Ann Desmarais of Desmarais Design, Amherst, NH in collaboration with Harry Umen of Umen Design, Henniker, NH. According to the judges, the site demonstrated, "Good use of color palettes, easy home and internal navigation and flow. Brief content, easy to read and use. Color coding each relevant area also good to



WHAT'S TODAY'S HOTTEST INTELLECTUAL PROPERTY ADDRESS?

It's www.ipmall.info



At Franklin Pierce Law Center's IP Mall you will find an extensive, award-winning selection of academic and online intellectual property resources for practitioners, inventors, students and business professionals. Visit www.ipmall.info for the latest in intellectual property information and trends.

PIERCE LAW
FRANKLIN PIERCE LAW CENTER

Inspiring Excellence

OFFICE OF INSTITUTIONAL ADVANCEMENT

Dear Alumni and Friends,

This past year has been one of transition for the Office of Institutional Advancement at Pierce Law. Our goals and objectives were in place at the beginning of FY '02-'03, and I am honored to report that we have met and well exceeded the goals set forth. We could not have done this without your loyal support.

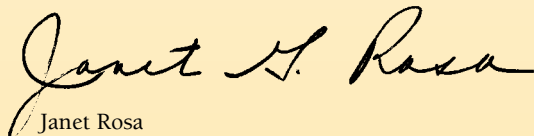
Currently, our endowment is small and our operating expenses are primarily dependent upon tuition. We are changing this model. The Annual Giving Campaign is the cornerstone of our fundraising efforts which help ensure the financial stability of the institution. The funds are both unrestricted and budget relieving. Additionally, foundations and corporations often measure the strength of an institution by the level of alumni participation in its annual fundraising campaigns.

As the fiscal year comes to an end on June 30, 2003, we are at 110% of our Annual Campaign goal of \$50,000 and have increased our alumni participation from 4.8% to 7.5%. As we mentioned in the Investing in Excellence Annual Giving Campaign letters, it is not how much we give, but how many of us give.

Our hope is to build the Annual Giving Campaign to a healthy \$250,000 over the next three to five years and increase our alumni participation to well over 20%. This effort will help improve our financial situation and ease the burden to tuition.

As you are also aware from the solicitation letters you have received that we instituted a Class Agent Program, and we thank those alumni who have volunteered to commit their time.

We have also embarked upon a strategic planning project and are well into the second phase of the process. It is an exciting time for Pierce Law, as we look toward the future with confidence and vision. Thank you, once again, for your commitment.



Janet Rosa
Director of Institutional Advancement



Director of Institutional Advancement Janet Rosa with John Pacheco '76 and his wife, Angela, in Scottsdale, AZ during one of her many visits with alumni across the country.

A LUMNI NEWS

BY DENISE WESTER, ALUMNI DIRECTOR

As always, we are making every effort to provide our graduates with the best service possible. We are always trying to improve our alumni program and the following are just a few ways in which we are accomplishing this.

Our main focus is to keep in touch with all of you throughout the year, not just for fundraising purposes, but also to keep you informed of ongoing alumni events, receptions, reunions, forums, lectures and other special functions. The most difficult task for us is to keep our database current with home addresses, employment changes and new general information. If you have changes in your home addresses, employment and any new accomplishments you wish to share with your fellow graduates, please let us know. Email dwester@piercelaw.edu, call or write the Alumni Office. A list of lost alumni follows on page 28, people who we have not been able to locate. If any of you have any information regarding these fellow classmates, please let us know. We would greatly appreciate any help that you could give us.

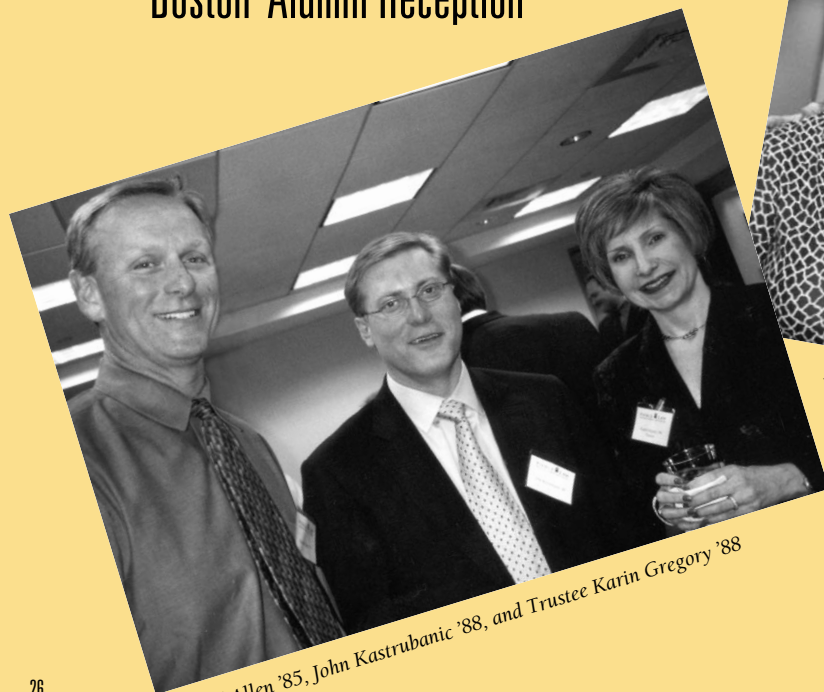
Another focus for us is to research and develop special discounts, offers or group rates that Pierce Law can negotiate for resorts and vacations for our graduates. I am pleased to announce that The Mount Washington Hotel (featured on the cover of *The Advocate*, Winter 2003) is presenting a special offer for Pierce Law alumni. Details will follow in a special mailing to you in the next few months. Don't miss the opportunity to have an exceptional weekend in the magical and breathtaking White Mountains of New Hampshire.

And lastly, we are working on developing an online directory for alumni. Many of you have mentioned that you would like to have access to a directory and we believe that an online registry would be most beneficial and user friendly for our graduates. We will keep you updated on the project.

In closing, I would like to thank all of the alumni who assisted, hosted and sponsored regional alumni events. They are Vernon Maine '93 and Scott Asmus '97 of Maine and Asmus, Nashua, NH; Dominick Conde '90 and Caren Khoo '00 of Fitzpatrick, Cella, Harper and Scinto in New York, NY; Richard Allen '85 and John Kostrubanic '88 of Gadsby Hannah, Boston, MA; and Brian Carey '00 and Denise Carey of Herndon, VA. Thank you to all of the above for your kind assistance, generosity and your invaluable time to help us advance the Pierce Law alumni program. We could not have accomplished so much without you!

Denise Wester
Alumni Director

Boston Alumni Reception



Richard Allen '85, John Kostrubanic '88, and Trustee Karin Gregory '88

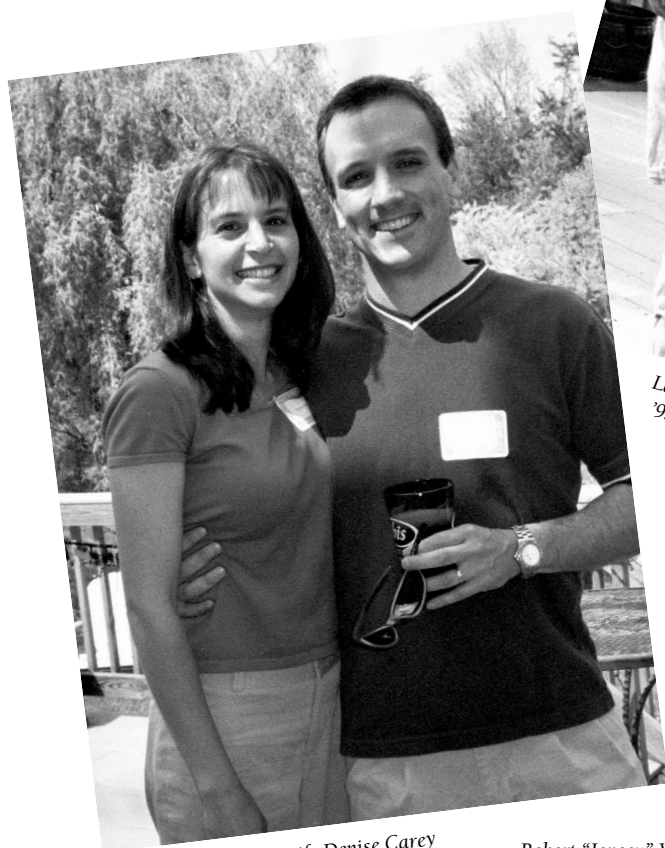


Lauren Paul '92 and
Shaun Hutchinson '92

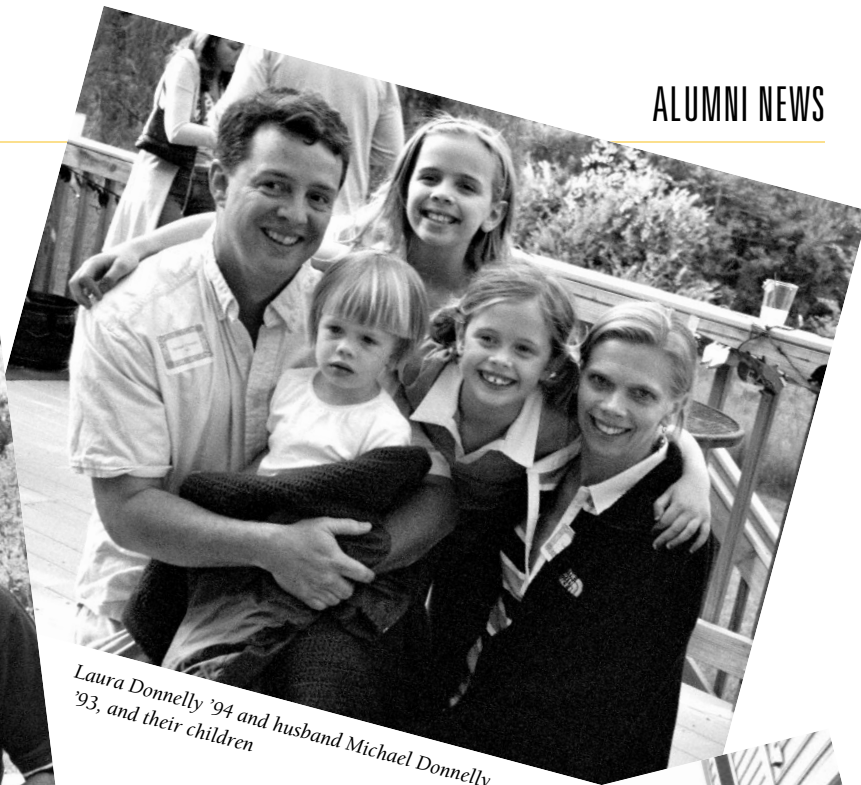


Joanne Belmont '96, Jan Newman, Pierce

DC Alumni Reception



Brian Carey '00 and wife Denise Carey



Laura Donnelly '94 and husband Michael Donnelly '93, and their children



Robert "Jonsey" Worrall '93 and his wife Christina Worrall (rt.) with Janet Rosa, director of institutional advancement



Law receptionist, and David Belfort '96



Anthony Josephson '98, wife Jane Anne Josephson, and Arash Behravesh '00

Please email address and employment changes, news and accomplishments to dvester@piercelaw.edu.

Lost Alumni

Help us find our lost alumni. Email dwester@piercelaw.edu

1976

Charles J. Barry
Thomas W. Clarke
Robin D. Grove
William D. Hall
Charles J. Herron
Michael L. Lang
Laurence H. Nida

1977

Lance S. Adler
Peter P. Blose
David C. Butler
Thomas A. Darby
Daniel Diadul
George R. MacRae
Robert S. McKenzie
Bruce R. Pelton
Robert L. Rines
Stephen H. Rudnick

1978

Pierre Bergeron
Daniel W. Brandt
Tadeusz R. Cisowski
Linda Colombine
Robert W. Geiszler
C. Jeffrey Goble
Peter P. Kralej Jr.
Alan J. Kuntze II
John L. LaPierre
Michael R. Spano
Donald R. Westervelt Jr.

1979

Carolyn S. Cook
Jane U. Criste
Judith B. Hartwell
Ann S. Quenin
Johanna Chromiak
Dana J. Laliberte
Alan J. Smith

1981

Diane J. Cahn
Keith D. Moon
John O. Moushigian
Dennis M. O'Driscoll
Joseph A. Yovino

1982

John J. Barry
Donald J. Carroll
Elaine Charpentier
Claudette F. Haskell
Ana Maria Lopez
Dean K. Marsan
Sarah J. Miller
Anthony Palmiotto
Douglas J. Schlafer
Johnny F. Smiley
C. Joan Worley

1983

Susan L. Alfin-Johnson
David W. Bobb
Theresa Flores-Adamowski
Elaine P. Karassik
Jilly MacLellan
Sandra A. Melville
Timothy C. Quinlan
Shaindle H. Shortlidge

1984

Nancy E. Feehan
Karen A. Houston
Cynthia A. McGovern
Jerald M. Reichlin
Leslie A. Roff
John O. Rollins
Martha E. Shepard

1985

Richard M. Gardner
Ishmael D. Norman
Paula R. Young

1986

Gerard A. Baldacci
Stewart F. Chase
Nancy L. Horning
Susan A. McMahon
Katherine E. Stine

1987

Karen L. Anderson
Jonathan Bauer
Robin James
Lewis S. Knapp
Eugene J. McLaughlin Jr.

1988

George P. Dickson
Robert V. Herendeen
Jamie R. McAllaster
Tamara A. Miro
Linda E. Young

1989

Jacqueline A. Benditt
Carol L. Eldridge
Melanie G. Fremer

1990

Susan J. Austin
Melinda L. Beretta
Linda B. Billingham
Bruce L. Namenson
Lynne A. Tacheny
Sarah Wijns
Bin Zhou

1991

Kezhan Bi
Karen A. Blatter
Susana A. Cabrera de Garcia
Louise A. Foutch
Jean P. Gamache
Richard E. Hanson
Anne M. O'Brien
Theresa L. Ollila
Abby L. Reagen
Lesley W. Savage
Susan Wendell

1992

Sangjoon Hahm
You Juan
Ikwhan Kim
Joo Sup Kim
Enrique Leung
Jesus Mejia
Marina A. Parascenzo-Brush
Bryn N. Pasternak
Joseph P. Reagen
Eudora M. Vigue
Beng-yaw Wang

1993

Sharon A. Bogins-McDowell
In Sub Choi
Akimichi Kobayashi
Jacqueline R. Krohn
Darlene Leakeas-Buckson
Ann Marie Paquette
Kyung Won Yi

1994

Carl Caslowitz
Megan E. Davis
Mark J. Ensor
Michael M. Goldberg
Jennifer E. Leftwich
Gangwei Liu
Mary E. Maloney
Suzanne M. Myron
Christine A. Pariseau
Scott T. Smith
Larry M. Tiffany

1995

Valerie M. Combs
Richard A. Hines
Leslie L. Jacobs
John R. Parziale
Jason D. Pizer
Kelly L. Seago
Aron N. Solomon

1996

Cynthia Hearing
Lilly Yang Wang

1997

Omobolanle A. Aguda
Heidi E. Ayer
Regina Bautista
Peter Eissmann
Raef Granger
Rita Kay Hathaway
Wen-Hsiung Ho
Kathleen A. Holt
Dae-Yeon Jo
Byung-Moon Lee
Ho Keun Lee
Jae Yong Lee
Yuqin Lu
Steve Petrov
William B. Pupilampu
Liang TinXia
Albert J. Troiano

1998

Satoshi Asahi
B. Kathryn N. Beesley
Bih-Lih Chen
Dae-Ho Choi
Hui-Fang Lu Chou
Diane M. Cubb
Caroline Dupont
Marta Garcia Leon
John M. Hart, Jr.
Mahmoud D. Hmoud
Tsu S. Hseih
Dawn E. Kawalek
Jun Seo Lee
Jacqueline M. Lindsay
Lisa M. McGunnigle
Marie A. O'Connor
Satar O. Omolala
Jun Sung Park
Lars S. Smith

1999

Jamie Adams
Hassan O. Al-amin
Michael G. Bogart
Andrew Casino
Si-Chin Chang
Kenneth Chen
Dae-Wan Chung
Karim El Helaly
David A. Harrington
Maria Hegarty
Weiqiu Long
Aleks G. Marin
Kiranmaye Pemmaraju
James M. Petro
Emmanuel M. Pirah
Pamela A. Reed Pultz
David Reilly
Robert J. Scheffel
Xiangjing Zhan

2000

Moshood Olalekan Abdul
Lorig M. Basmajian
Kristen A. Beauvasis
Victoria Channing-Lee
Soonhee Jang
Hyeong-Jin Kim
Jing Li
Kimberly N. Likewise
Rajesh S. Ramanathan
E. Maria Reinemann
Tae-Keun Rhee
Leif T. Stordal
Fayette Thibault

2001

Elizabeth A. Beardsley
Seth Hasit Bhupatrai
Yonghong Chen
Lan-Fang Chin
Gordon W. Dyer
Abdoulaye Essay
Mario S. Golab
Lauri A. Henning
Gloria G. Holmes
Anju Jain
Jeffrey Lacourse
Yoonwon Lee
Danielle Matton
Mam-Issa Mboob
Adejoke Oyewunmi
Steven E. Pilling
Shimona Pratap Singh
Deborah L. Quint
Anthony Santoro
Hui Zhang

2002

Adi Amrany
Kelly M. Farmer
James Hawkins
Sumant A. Khan
Junko Kinoto
Eric Kolo
Folorunsho Laiyemo
Guoxu Yang
Xia Zheng

Career Services

BY PATRICIA WHITE, ESQ. '85, ASSOCIATE DIRECTOR OF CAREER SERVICES

CONGRATULATIONS TO THE CLASS OF 2003

Rather than basking in the sense of accomplishment that law school graduation merits, the Class of '03, like all of the classes before it, has had to immediately confront the demon of bar exam preparation and its accompanying anxiety. But this year will be especially challenging for those who have not yet found employment due to an extremely tight job market (according to Department of Labor statistics, the unemployment rate for lawyers is currently the highest it has been since 1997). So how do recent grads go about uncovering job opportunities and distinguishing themselves from their colleagues?

You Don't Want to Hear This but...

Advertised positions comprise a very small fraction of the job market. Poorly targeted mass mailings do not work. A job search is more likely to succeed if it begins with introspection. The watchwords of today's successful job search are perseverance and flexibility. So take a few moments to examine your job search strategy with a fresh eye.

Steps to a Successful Job Search

Know Yourself.

Unless you thoroughly understand and can articulate your skills, interests, values, strengths and accomplishments, you won't be able to convince an employer to hire you and you won't be able to find a job that will make you happy. Conducting an honest self-assessment will enable you to present yourself in a job interview with enthusiasm, to demonstrate an appropriate level of self-confidence and to show your interest in the employer. Employers want to know how much you care about doing their particular type of work, not just how much you know about it. And remember that people hire people they like, people who come across as interesting and involved. Develop a sense of what makes you special and learn how to project that in a cover letter and an interview.

Know the market.

You have to know enough about a potential employer to show why you are a good fit for that organization. Practice areas, types of clients, location, firm size, culture and values are all important factors. Firm profiles are available online

at www.martindale.com and www.nalpdirectory.org. If you can be flexible about relocating, conduct a series of job searches targeting various geographic areas. Be prepared to explain why working as an employment lawyer in a mid-size firm in St. Louis is your dream job. If you can be flexible about practice areas, prepare different versions of your resume that highlight particular skills or experience applicable to those practice areas.

Uncover opportunities.

If the majority of job opportunities are not advertised, how do you find them? Two words: talk and listen. Speak to everyone you know, from the mechanic who services your car, to your hairstylist, to parents at Little League games. Learn to make conversation with people you meet—you never know who these people may know. Listen for any information that could point to a job lead: the friend of a friend or relative who mentions that a business is expanding, that a certain lawyer is swamped with work, etc. Go where there are people who are already doing the type of work you want to do: join a local bar association and attend CLEs and other functions. Network with classmates, alumni, former employers, professors. Read legal newsletters and journals. Do volunteer work and seek part time employment. In short, stay active and visible.

You've already done all of this?

You are probably feeling frustrated, discouraged and anxious. But these techniques do work. Keep an open mind and follow up on any leads you uncover. Ask one of us in Career Services to help you fine tune your resume, personalize your cover letters or refine your job search strategy. Keep in touch with us so we will know you are still looking when we learn of an appropriate opportunity. Check your Pierce Law email for job announcements and use E-Attorney to access job postings online. If you've forgotten your password, email us and we will forward the alumni password to you.

Your law school graduation represents a tremendous achievement. You have the ability to find a satisfying job. Best of luck, and let us know if we can help you get your job search back on track.

Patricia White '85 is associate director of career services. She can be reached at pwhite@piercelaw.edu.

CLASS ACTIONS

1970s

Carolyn Baldwin '77 is with Baldwin, Hogan & Kidd, PLLC, Concord, NH.

Samuel Der-Yeghiayan '78 has been recommended by U.S. Senator Peter Fitzgerald to sit on the federal bench at the U.S. District Court for the Northern District of Illinois.

Kris E. Durmer '78 was named to the board of trustees of Sacred Heart University in Fairfield, CT.

John A. Lassey '78 of Wadleigh, Starr & Peters, PLLC, Manchester, NH was elected moderator for the Town of Deering, NH.

Robert C. Novy '76 of Novy Associates, Manchester, NJ was recently honored as "Volunteer of The Year" by the American Cancer Society.

Gregory G. O'Mahony '76 recently left his surety and construction practice of 22 years and joined an affiliated firm in Florida providing legal and consulting support.

Norman J. Patenaude '76 has been certified by the National Association of Hearing Officials for the position of administrative law judge for the State of Arizona in Scottsdale.

David K. Pinsonneault '77 is with Winer and Bennett, LLP, Nashua, NH.

Michael Ruedig '77 has been nominated by Governor Craig Benson to

serve on the Uniform State Law Commission in New Hampshire.

Robert R. Ruud '76 of Sandholm, Alvine & Ruud, Moline, IL, is currently serving as vice president of the Rock Island County Bar Association.

Chris Wood '78 practices civil litigation, product liability, toxic tort and commercial law at C. W. Wood & Associates, San Francisco, CA.

Douglas J. Wood '76 of Hall, Dickler, Kent, Goldstein & Wood, New York, NY was re-elected as chair of Pierce Law's board of trustees, and appointed general counsel of Association of National Advertisers. He published his ninth edition of *Legal Problems in Advertising*, a Matthew Bender publication.

1980s

William M. Albrecht, IV '82 has been chosen to take over as Cheshire County attorney in Keene, NH.

A. Larry Berren '80 recently joined into a partnership with Audette, Bazar, Berren & Gonzalez, practicing estate planning and settlement law in Barrington, RI.

Mark DeLuca '88 has joined Woodcock Washburn, LLP, Philadelphia, PA. He specializes in biotechnology and pharmaceutical patent prosecution and counseling.

Janet F. DeVito '84 recently accepted a position with the New Hampshire Supreme Court Professional Conduct Committee and the Committee on Character and Fitness, Concord, NH.

Timothy Gurshin '86 recently joined the law firm of Normand & Shaughnessy, Manchester, NH.

William J. Murphy '89 has accepted the position as house speaker in Providence, RI. He will continue to practice law at his firm, Murphy & Fay.

Steven Scudder '83 continues his work as counsel to the American Bar Association's Pro Bono Committee, based in Concord, NH.

Dorothy Meyer Storrow '83 received the Mary C. Fitzpatrick Award from the Committee for Public Counsel Service. It is given to a Massachusetts attorney for extraordinary commitment in representing parents and children in child welfare proceedings.

Pierce Law Alumni Honored

Kathleen Chapman '93, director of legal services at Hearty House, Frederick, MD, was one of 23 attorneys and judges from Maryland to receive *The Daily Record's* "Leadership in Law" award for excellence in the legal community and public service in 2002. She was also recently invited to become a fellow of the Maryland Bar Foundation. This membership recognizes "outstanding dedication and contribution to maintaining the honor and integrity of the legal profession, the improvement and facilitation of the administration of justice, the work of the organized Bar of Maryland and civic leadership." In June 2003, the Maryland State Bar Association (MSBA) honored her with the David Hjortsberg Award for civility, professionalism, commitment to community, and commitment to the bar.

Ronald K. Lospennato '81, legal director of the Disabilities Rights Center, Concord, NH recently received the New Hampshire Bar Foundation's Frank Rowe Kenison Award for "a lifetime of persistent, imaginative, compassionate—and successful—advocacy for the disabled."

M. Kristin Spath '85 was recently named Merrimack County Lawyer of Year 2003. Spath has dedicated her legal career to public service, beginning with the New Hampshire Public Defender Program in 1985. Throughout her legal career, "she has worked tirelessly, defending the rights of many of the most disadvantaged citizens in our county and state. Among her numerous efforts at the Attorney General's Office on behalf of New Hampshire citizens, she has implemented consumer education programs for all citizens, but specifically reaching out to the most vulnerable consumers in our county and State."

Ellen L.F. Strauss '81 is practicing law in Weston, CT. She was recently featured in the true crime book *A Deadly Secret—The Strange Disappearance of Kathie Durst* as well as on Court TV.

Mary Elaine Taddeo-Desilets '87 is practicing law and working in pediatric nursing in Holliston, MA.

Martha S. Temple '85 recently opened her own practice, Temple Law Offices, Bangor, ME.

1990s

Scott Abrahamson '92 has accepted a position as senior attorney for the Office of General Counsel at the New York State Department of Environmental Conservation, Albany, NY.

Robert R. Axenfeld '91 recently accepted a position with Synnestvedt & Lechner, LLP, Philadelphia, PA.

David E. Belfort '96 has formed his own firm, Corrigan, Bennett and Belfort, P.C., Cambridge, MA.

Russell W. Binns Jr. '96 has moved from the Boston office to the New York office of Goodwin Procter LLP.

Patrice C. Cashwell '98 joined the firm of Schofield & Wade, P.A., Pensacola, FL.

Julius Ciembroniewicz '97 is now a shareholder of Kozak & Gayer, P.A. specializing in healthcare law, Portland, ME.

Gregory M. Cunningham '93 has been named a shareholder in the statewide firm of Bernstein, Shur, Sawyer & Nelson P.A., Portland, ME.

Jonathan S. Frizzell '96 a partner with Waystack & King, in Colebrook, NH has been listed in *The Union Leader's* annual "40 Under Forty" list of the most influential NH residents under the age of 40.

Michelle Gallon '98 has joined Colomer U.S.A., Jacksonville, FL.

Dr. John M. Garvey '93 has joined Greenberg Traurig LLP as a patent attorney in the Intellectual Property Department, Boston, MA.

Robert H. Humphrey '92 has joined the adjunct faculty of Salve Regina University, Newport, RI. He serves as the assistant town solicitor for the Towns of Portsmouth and Little Compton, RI. He recently published several articles in the *Rhode Island Bar Journal* regarding the prosecution and defense of domestic violence and drunk driving cases.

Scott A. Joseph '95 and his wife Shelley have opened a law office, Joseph & Joseph in Wellesley, MA.

Alan Koller '93 has joined Purdue Pharma, L.L.P., Stamford, CT as the senior assistant general counsel.

Alec J. Koromilas '91 has been appointed chair of the United States Employees' Compensation Appeals Board by the Secretary of Labor.



Peter Lando '91

Peter Lando '91 has opened his own firm, Lowrie, Lando & Anastasi, LLP, a new Intellectual Property Law firm in Cambridge, MA.

Kristin L. Murphy '97 has been elected as a member of Rader, Fishman & Grauer, PLLC, Bloomfield, MI.



Carrie Webb Olson '91

Carrie Webb Olson '99 has joined Edwards & Angell, LLP as an associate. She will concentrate her practice in the areas of intellectual property, trademark and copyright law. She resides in Stamford, CT.

Sandra L. Rothera '93 is practicing medical malpractice defense, family law and probate litigation at Gross, Minsky & Mogul, PA, Bangor, ME.

William Schubert '94 has been nominated by New Hampshire Governor Craig Benson to serve on the state's Compensation Appeals Board.

Allan Soobert '93 was recently named partner with Cooley Godward, Reston, VA., where he specializes in intellectual property law.

Cinde Warmington '99 has joined the Health Care Practice Group of Sulloway & Hollis P.L.L.C., Concord NH.

Maura M. Weston '96 a partner with the Concord firm of Rath, Young & Pignatelli has been listed in *The Union Leader's* annual "40 Under Forty" list of the most influential New Hampshire residents under the age of 40.

Leslie Weise '93 has been promoted to general counsel at Redback Networks, San Jose, CA.

Karla Zimmerman '97 has accepted a position with the Public Defender's Office, Buffalo, NY.

2000s

Jennifer Chamberlain '02 has joined Czachor and Polack, LLP. She will be practicing in the firm's Green Bay and Oconto Wisconsin offices.

Mindy Dupre '02 is now an assistant county attorney. She will be prosecuting in the Plaistow District Court, representing five New Hampshire towns.

Peter J. Gardner '02 is practicing business, corporate and intellectual property law at Stebbins, Bradley, Harvey & Miller, P.A., Hanover, NH.



Danielle L. Pacik '00

Danielle L. Pacik '00 is an associate at Devine, Millimet and Branch, PA, Manchester, NH. Prior to joining the firm, she served as a judicial law clerk for The Honorable James E. Duggan, Associate Justice of the New Hampshire Supreme Court.

Arvin Patel '00, vice president, general counsel and chief knowledge officer of NorthPole, Fremont, CA has received the "2002 Chairman's Award" for his tireless efforts to improve the value of company intellectual property in 2002.

Linda J. Spiller '01 has opened her own general practice firm, Spiller Law Firm, PLLC, Concord, NH.

ADDITIONS

Jenna Finnegan Bechen '00 and **Timothy Bechen '00**, son, Patrick Tadhg Bechen, February 26, 2003.

Dan Cahoy '98 and his wife, daughter, Laura Elizabeth in November 2002.

Kevin Carroll '95 and wife Yenna, son, James Henry, on April 3, 2003.

Mary Beth (Kolosi) Connors '96 and **Matthew Connors '97**, son, Ethan Matthew, on September 14, 2002.

Linda Rurka Dooley '94 and husband Brian, daughter, Shayna Lynn, on October 11, 2002.

Michael B. Forte '77 and his wife Rebecca, twin boys, Christopher and Cameron, on October 2, 2002.

Liza Granoff '98 and **Johnathan Granoff '98**, son, Peter, on March 26, 2002.

Amy Gutow '94 and husband Tom, daughter, Syra Jackson, on November 3, 2002.

Kristin Lewis '96 and husband Steve, son, William Robert, on February 18, 2003.

John B. Martin '86 and wife Brenda, son Alden on September 21, 2002.

George N. Papageorge '94 and wife Laura, daughter, Lia, in August 2002.

Rajiv Patel '95 and wife Vibhuti, son, Parin, on March 19, 2003.

Stephen B. Ravin '77 and wife, Marla, fourth child, Sabrina Paige.

MARRIAGES

Christopher R. Largay '91 and Michele Hathaway on December 31, 2002.

We apologize for the error in the printing of this poem in the January issue of *The Advocate*, and reprint it correctly in this issue. Poet, musician and alumnus, John Perrault '79 was recently named Portsmouth (NH) Poet Laureate for 2003.

Breaking Out

Ears ringing
with a robber's rap
banged through the bars
of a long afternoon

I feel the wind
break like freedom
through open windows of the car

feel the hard slap
of the moon
up side the face to smarten up
pay attention

turn here
on this dirt road
winding back through the trees
around the stand of firs
skirting the pond

kill the lights
shut her off
out strip and in

across the water
dogs barking off in the woods.

—JOHN PERRAULT

Potato Eyes, #15 & 16, Fall/Winter 1997,
PO Box 76, Troy, ME, 04987, copyright 1997,
Potato Eyes, rts.reverted.

SAVE THE DATE

REUNION WEEKEND 2003

October 25th

Honoring the Classes of '76, '77, '78, '83, '92, '93, and '98

Alumni Reception 4:30–6:30 at Pierce Law
Class dinners to follow

1978 Daniel's Restaurant, Henniker, NH
1988 Margarita's Mexican Restaurant, Concord, NH
1992 Holiday Inn, Concord, NH

Other dinners to be announced



1973

2003

Happy 30th Anniversary Pierce Law

Why give to the Annual Fund?

- Ensures Pierce Law's national and international reputation for attracting high caliber students and graduating superior attorneys.
- Attracts major grant support—Often foundations measure the strength of the institution by the level of participation in the Annual Fund. It is not how much you give; it is how many give.
- Supports Pierce Law's Institutes, Clinics, and programs.
- Funds state-of-the art equipment and facility upgrades.
- Aids in recruiting and retaining exceptional faculty.

Investing in Excellence will perpetuate your educational experience to current students by bridging the gap between tuition and the cost of educating students.

Please make your check payable to Franklin Pierce Law Center,
Two White Street, Concord, NH 03301.

**INVESTINGⁱⁿ
EXCELLENCE**
PIERCE LAW ANNUAL FUND



Calendar of Events

Advanced Licensing Institute

July 14–18

Orientation for incoming JD students

August 19–21

Biology & the Law Conference

October 10–11

Reunion Weekend 2003 **30 YEARS**

October 25

Mount Washington Hotel Weekend

November 7–8



PIERCE  **LAW**
FRANKLIN PIERCE LAW CENTER

Two White Street
Concord, NH 03301
603.228.1541
www.piercelaw.edu

Non-Profit Org.
U.S. Postage
PAID
Permit No. 749
Concord, NH 03301